

REPORT
OF THE
BIHAR POLICE COMMISSION
1961



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Member-Secretary

Shri M. K. Sinha, I. P.,
Inspector-General of Police, Bihar (1951—58), Inspector-General of Police
on Special Duty and ex officio Additional Secretary to Government.

Deputy Secretary

Shri K. N. Prasad, I. P. S.,
Superintendent of Police on Special Duty and ex officio Deputy Secretary to
Government.

BIHAR POLICE COMMISSION,

PATNA SECRETARIAT.

The 23rd May, 1961.

MY DEAR CHIEF MINISTER,

As the Chairman of the Bihar Police Commission, it is my privilege to submit to you the result of our labours contained in this our Report. The Commission was appointed by Government in their Resolution of the 14th of October, 1958. We have since been engaged, among other things, in studying the system of police administration in Bihar and in some other States and have now formulated our proposals for its improvement. For various reasons, the enquiry has taken a longer time than was originally anticipated. This was not only due to the very wide terms of reference but also to the fact that the last Commission sat nearly 60 years ago and Bihar was the first to take the lead in setting up such a Commission. An effort has been made in this Report to indicate in broad outlines the changes that would be required to bring about the desired result. One unique fact with reference to our Report is that the Commission have, in effect, arrived at unanimous conclusions and this, I may be permitted to say, is a matter of no small consequence. My sincere thanks are due to each of my colleagues who have displayed great patience and considerable insight in the examination of the problems posed before us. I am fully conscious of the strain from which my colleagues must have suffered as they gave to the Commission ungrudgingly their valuable time in spite of many pressing professional and official engagements. This was the obvious consequence flowing from the fact that we all had but one aim—namely, so to constitute the police force as to be of the best service to our countrymen. On behalf of the Commission, I desire to express our earnest wish that our Report may be forthwith examined and the recommendations which find favour with the Government, may be directed to be implemented without delay. Delay very often defeats the purpose and the earlier a pressing recommendation is implemented, the more incentive it provides for working it to a satisfactory

Before I conclude, I would like to place on record my deep gratitude and that of the members of the Commission to our colleague, the Member-Secretary, Shri M. K. Prasad, I. P., at present Inspector-General of Police on Special Duty for his unstinted energy, untiring energy and for providing us with a very careful analysis of all the relevant facts which have helped us in the composition of the Report. His wide experience, rare ability and intimate knowledge of police work were of immense help throughout our deliberations and he displayed a balanced approach to every problem which was of extreme value. I must also mention the most valuable work done by the Deputy Secretary, Shri K. N. Prasad, I. P. S., whose vast study of the various problems and historical records has been of the greatest assistance not only in understanding police problems but also in formulating our proposals. He has also shown great ability and considerable industry in his work. Shri A. N. Mazumdar, the Under-Secretary, worked extremely hard throughout the period he was associated with the office of the Commission and his knowledge of all matters connected with finance and budgeting has been of real help in framing our proposals which have had financial implications.

3. I cannot close this letter without acknowledging the indefatigable work put in by the office staff who have ungrudgingly worked for long hours, much beyond the scheduled time for office. In this connexion a special mention has to be made of Shri P. Rawlins, Personal Assistant to the Member-Secretary, and Shri B. K. Gour, the Head Assistant of the office. Shri Rawlins has a high sense of devotion to duty and rare and unique qualities of loyalty combined with capacity for organisation. He was particularly helpful during our tours. Shri B. K. Gour's output of work shows that he has marked skill in handling office problems and he has shown intimate knowledge of Government rules and procedure. Our acknowledgments would not be complete without making a particular mention of the stenographers who have had to bear the brunt of the work connected with the preparation of the Report.

Shri Binodanand Jha,
Chief Minister of Bihar,
Patna.

Yours sincerely,
B. P. JAMUAR,
Chairman.

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CHAPTER I

INTRODUCTORY

1. On the 16th of October, 1958, the State Government decided to appoint a Commission to enquire into the various aspects of the police administration in Bihar and to make recommendations for improvement. The genesis of the present Commission lies in the anxiety of the Government to introduce such reforms in the organisation of the police force as would make it worthy of its difficult task. While appropriate changes have been made from time to time, the structure of the police force is, more or less, based on the recommendations of the Indian Police Commissions appointed by the Government of India in 1860 and in 1902. That the conditions that prevail now are materially divergent from those that existed 60 years or so need hardly be stressed; the problems that confronted the earlier Commissions were far different from those posed now. Events of great importance have occurred in the last three decades. Ever since Independence, the necessity for a detailed and deliberate study of the problems that face the police has been keenly felt.

2. The Government resolution appointing the present Commission called upon them to enquire and report on the following :—

- “(i) Whether the strength of the police force, in the technical and non-technical branches, both armed and unarmed, is adequate; whether revised yardsticks, if any, need be fixed in respect of the strength of different ranks of the police force, their territorial areas of jurisdiction and what definition of powers and duties of the different ranks is necessary to make the force suited to modern needs; and whether the pattern of staffing of police offices is also adequate and any changes are essential; and also the financial aspects of the present force and yardsticks proposed;
- (ii) The changes that are necessary in regard to recruitment, training, disciplinary control and other conditions of service with a view to make the force more effective in the task of prevention and detection of crime and the prosecution of cases;
- (iii) Whether the Rural Police as constituted at present is effective in the performance of police duties in the rural areas; whether any change is necessary in the strength, organisation, training and conditions of service of the Rural Police; and how in the context of the new decentralised administrative set up with the Gram Panchayats functioning all over the State the efforts of the district and the Rural Police and those of the Gram Panchayats can be integrated in tackling crime;
- (iv) Whether the general supervision exercised by the magistracy over the police, particularly in view of the separation of the executive and the judiciary, and the control of superior police officers including Circle Inspectors, over the investigation of crime and other police duties are adequate and on the right lines; what improvements, if any, have to be effected in this control and supervision;
- (v) Whether corruption is prevalent among the various ranks of the police force and, if so, the extent of it and the measures to be adopted to remove corruption;
- (vi) Whether the form of statistical returns now adopted is satisfactory or capable of improvement and whether the use to which such returns are put as tests of police working is appropriate; whether also any improvements are necessary in the registers and other records maintained in the police-stations and other police offices, for compiling the data regarding crimes and criminals;

- (vii) The measures to be adopted so that the police may evoke the willing co-operation and respect from the people in carrying out their duties.

The Commission may also analyse and report upon any other important problem which comes to their notice in the course of their enquiries on the matters mentioned above and make their own recommendation on such problem."

A copy of the Government Resolution is marked as Appendix I of this Report.

3. By another Resolution, No. 8007, dated the 1st of November, 1958, Government were pleased to appoint Shri Tribhuvan Prasad Singh, I. C. S., Chief Administrator, Kosi Project, as one of the members. The Commission note with regret that they could not receive the valuable assistance of Shri Singh for the full term as his own onerous official commitments compelled him to withdraw from the Commission in December, 1959. He was succeeded by Shri K. Raman, I. C. S., Land Reforms Commissioner, Bihar.

4. The Commission assembled at Patna on the 15th of November, 1958. In his inaugural address, the Chairman welcomed the members of the Commission, emphasised the importance of the task entrusted to them and explained the 'terms of reference' which, in his opinion, were very wide and therefore, required extensive survey. The work ahead, he said, was very arduous because the police force was to be so reorganised as to make it fully committed to the service of the people in a democratic set up. He also indicated that the financial implications of the recommendations of the Commission should be kept fully in view.

5. The first meeting drew up a plan of work that was to be adopted to ascertain the trend of informed and representative opinion of all sections of the people on the points raised in each of the terms of reference. To elicit opinion on such vital matters,

Method of enquiry.

it was decided that the people and the press should be taken into confidence and their co-operation invoked. The matter which was subjected to somewhat anxious consideration was whether the Commission should record the evidence in public or in camera. The precedents afforded by the procedure adopted by other Commissions were rather conflicting. While the first reaction was to hold a public enquiry, it was realised that such a procedure might discourage some witnesses being shy of publicity, from readily assisting the Commission with all the materials in their possession. This point of view was so pressing that it was decided that the sittings of the Commission should be in camera and that all communications received by the Commission were to be treated as strictly confidential.

6. It was the anxiety of the Commission from the very start to acquire an intimate grasp of the various problems and after studying certain informative notes on each of the terms of reference, discussed them at the earlier meetings. A decision was

Tours.

then taken to invite suggestions from the District Magistrates, the District and Sessions Judges and the Superintendents of Police on the various problems confronting the police administration of the State. Their replies assisted the Commission in formulating the questionnaire, which was, however, not finalised until the Commission acquired a first hand knowledge of police work at various levels. The Commission, therefore, undertook intensive tours within the State in the first half of 1959. The tours were so organised as to afford an opportunity to see police officers at work in rural and urban police-stations, police court offices, police circles, subdivisions and also at the district police headquarters. The itinerary included visits to certain typical police-stations in the very interior of the district of Raichur, the Damini areas of the district of the Santhal Parganas and the northern border areas of the district of Darbhanga. The Commission also acquainted themselves with the administrative set up in the offices of the Inspector-General and Deputy Inspectors-General, the Criminal Investigation Department, the Military Police organisation and the four

ranges. They visited the Police Training College at Hazaribagh, the Constables' Training School at Nathnagar (Bhagalpur), the headquarters of the State Police Transport Reserve, the Government Railway Police, the State Wireless organisation and the Central Training Camp of the Home Guards organisation at Bihta. They also studied the various Rural Police systems in the State. In course of these tours, the members freely discussed the problems confronting the police force with magistrates and police officers of all ranks including constables. The Commission visited the States of Orissa, Andhra, and Madras, Calcutta and its suburbs, and the headquarters of Ballia district in Uttar Pradesh. These tours of outside the State were of considerable assistance, but due to pressure of time and consideration for economy, tours of some other States were abandoned.

7. The Commission proceeded to draft the questionnaire towards the end of February, 1959. As this has been the recognised method of collecting material and eliciting opinion, the Commission devoted considerable time and care to its preparation. The questionnaire was released on the 14th May, 1959 at a specially convened press conference. The Commission are grateful to the gentlemen of the press for giving the questionnaire such wide publicity. Some 2,600 copies of the questionnaire, both in Hindi and in English, were distributed to various people and associations all over the country with a request to send their replies by the 10th of July, 1959. While the replies to the questionnaire were awaited, the members availed themselves of the interregnum to visit some of the States in order to make a comparative study of their police organisations and to discuss police problems with their officials.

8. On the return of the Commission from their tour, they had planned to discuss the materials collected through the replies to the questionnaire but very few replies had been received by the due date. The time given was perhaps not quite sufficient for dealing with such an exhaustive and comprehensive questionnaire. The time-limit was, therefore, extended, personal letters were addressed to the members of the legislature for their replies and the State Government was approached to get the replies of the officials expedited. By the middle of October, 1959 only 250 replies had been received but the Commission did not lose any time in scrutinising the replies which had been promptly circulated to the members. The Commission then proceeded to select witnesses for their oral evidence. In their anxiety to ensure that they heard all officials and non-officials, possessing direct knowledge of the affairs relating to the police administration of the State, the list included 200 witnesses who had also sent their replies. Seventy-eight others who had not done so but were expected to give valuable assistance to the Commission were also requested to call on the Commission. The recording of their evidence commenced on the 19th October, 1959 and concluded on the 24th August, 1960. It required 132 sittings to examine all the selected witnesses, some of whom were invited to appear during the Commission's sessions held at the headquarters of the divisions at Ranchi, Muzaffarpur and Bhagalpur, and the two industrial towns of Jamshedpur and Dhanbad. These sittings were interrupted for several reasons and primarily, to suit the convenience of some of the important witnesses.

9. The Commission decided that the task of examining the various forms and statistical returns in use in the Police Department should, in the first instance, be examined by a departmental committee consisting of experienced police officers of various ranks. The Inspector-General of Police, Bihar, was, therefore, requested to set up such a Committee. The Committee formed with the Deputy Inspector-General, Criminal Investigation Department as its Chairman and other experienced police officers as

members, examined the forms and made valuable suggestions. This helped the Commission in taking their own decisions.

10. On the conclusion of the recording of evidence, the processing of the materials received in some 6,197 typed pages through written and oral evidence was undertaken. This arduous work was completed in a remarkably short time. The sittings of the Commission were resumed on the 21st September, 1960 for a detailed discussion on the results of the Commission's enquiry and for formulating their recommendations. The deliberations which for long stretches continued from day-to-day, in spite of very heavy commitments of some of the members, concluded on the 19th January, 1961. Some 52 sittings were required for finalising their findings and drawing up their tentative decisions which helped considerably in the drafting of this Report. The Report was drafted in the next three months and finally settled in early May.

The Commission are well conscious of the time taken by them in concluding their enquiry and submitting their Report to the State Government but it was due to most unavoidable procedural time lag so inherent in such an elaborate enquiry. That this task should be completed now is primarily due to the very generous co-operation of the members, most of whom had some important public and official commitments in addition to their labours given to the Commission.

11. The Commission acknowledge with gratitude the consideration and assistance received from the State Government and their officials, particularly, the Inspector-General of Police and all his officers, the Divisional Commissioners, the District Magistrates and the District and Sessions Judges. For the courtesy and co-operation extended to the Commission during their tours outside the State, they thank the State Governments and the Inspectors-General of Police of Andhra, Madras, Mysore, Orissa, Uttar Pradesh and West Bengal. The Commission received some useful materials from all the States, the National Archives, Delhi, the Intelligence Bureau, Delhi, and some of the Indian Missions abroad through the courtesy of the Ministries of Home Affairs and the External Affairs and for this consideration, the Commission are extremely grateful to them. The Commission have also to acknowledge gratefully the co-operation of certain institutions and the Service Associations and in particular have to thank those, who at some personal inconvenience gave evidence before them.

CHAPTER II

HISTORICAL

12. The ancient police system in India was based on the principle of local responsibility and mutual co-operation. In the village which formed the basic unit of administration, security and peace was a matter of collective responsibility and shared by every resident of the village. One of the village leaders, known as the Gram Neta¹ and the village watchmen were responsible for protecting the village from criminals, while the body corporate of the villagers was bound to make good the loss due to crime committed within the village limits, except in cases where they were able to trace the offenders and recover the stolen goods, or succeeded in fixing the responsibility for the crime upon a neighbouring village.

With the growth of larger kingdoms, stringent laws came to be framed for detection and punishment of criminals. A separate cadre of urban police headed by an Asthanik came into existence in the time of the Mauryas (320 B.C.—185 B.C.). Apart from law and order duties, certain municipal duties were also assigned to the urban police. Night patrols were organised to prevent crimes and spies were employed for collecting intelligence. Spies were required to mix with the thieves and lead them into situations where they might be apprehended.

13. After the disintegration of the Turko-Afghans rule, the famous Indo-Afghan ruler, Sher Shah, effectively organised different branches of the administrative system including the police. He continued the traditional principle of local responsibility and held the Village Headmen responsible for the safety of the area within their villages. An official organisation of police was also created. In the Pargana, the Shiqudar and Amin shared between them the responsibility of policing and a group of Parganas formed a Sarkar under a Foujdar, who was the principal police officer and also the Commander of the local army. The head of the city police in urban areas was known as the Kotwal. He continued to supervise certain municipal duties and to enforce public morals. He was also the head of the Criminal Court of a Sarkar.

14. The police organisation of the Mughals was shaped out of the vestiges of the police system of Sher Shah. In the rural areas, the village watchmen continued to be responsible for police duties, but they were brought under the control of the Zamindars who were required to maintain their own police establishments. Another wing of the police in rural areas consisted of the Foudars and the Shiqudars. Each Pargana had a net work of Thanas. In cities, the functions of the Kotwal remained unchanged. All important cities were divided into wards for efficient patrolling and watch on suspicious characters. *Chorminars* were installed on the outskirts of the cities and these minars were studded with the heads of criminals for striking terror in the heart of the anti-social elements.

15. With the disintegration of the Imperial authority of the Mughals, there was a complete breakdown of the police system and it was to this legacy that the East India Company succeeded as the Diwan in 1765. An attempt was made in 1775 to improve the law and order situation by establishing Foujdari Thanas at the chief town of every large district, and a number of choukies at inferior stations. The Zamindars were subordinated to the Foudars and were expected to assist him fully in preserving peace and

security. The inherent weakness of the prevailing dyarchical form of government, however, enabled the Zamindars to build up their own strength and to evade the authority of the Foulidar by ingratiating themselves with the Company's servants.

16. Warren Hastings, the first Governor-General, sought to remedy the defects by abolishing in 1781 the Foulidari system and vesting the Judges of the Civil Courts with police functions. They were given powers to apprehend persons charged with a crime and a sizeable police establishment was placed directly under them for this purpose. They did not, however, have the power to try such persons, as criminal administration still remained the responsibility of the Naib-Nazim and his officers. In rural areas, certain Zamindars continued to discharge police functions concurrently with the Judges of the Civil Courts.

17. With the taking over of criminal administration as well in 1790, the Company could no longer evade its responsibility for peace and security as it had become virtually the Government. Under Lord Cornwallis, "Regulations for the Police of the Collectorships in Bengal, Bihar and Orissa" were passed in 1792. Each district was divided into police jurisdictions of about 400 sq. miles and placed under a Daroga assisted by some other police officers. The Zamindars were divested of their police functions and all village watchmen were placed under the Darogas. Major cities like Dacca, Murshidabad and Patna were divided into wards, each under a Daroga; a Kotwal, in the charge of the whole city, superintended the work of these officials. The Judge-Magistrate remained in overall charge of police work of each district. The shortcomings of these reforms led to a short-lived attempt in 1807 to revive the police functions of the Zamindars and the appointment in 1808 of a Superintendent of Police for the Lower Provinces. In 1810 the latter arrangement was extended to the Divisions of Patna, Banaras and Bareilly.

18. The Report of the Select Committee appointed in 1812 to enquire into the affairs of the East India Company prominently highlighted the defects in Lord Cornwallis's police reforms and the gap, as it was, between expectations and reality. The police force was found to be inadequate and the jurisdictions of the thanas large and unmanageable; posts of ill-paid Darogas did not attract respectable men and police officers were surrounded by various temptations; the organisation lacked public support and co-operation and the supervision exercised by the magistrates was ineffective as they were found to have developed a dangerous tendency of presenting a glowing picture of the law and order situation in their districts by suppression of information and misrepresentation of facts.

19. The Court of Directors of the East India Company could not but act speedily to remove such an appalling state of affairs. They ordered the abolition of the Daroga system, revitalisation of the village police and the transference of the duties of the magistrate along with his police functions from the Judge to the Collector. Due, however, to the permanent settlement effected by Cornwallis, the Daroga had come to stay and all that could be done was to curtail his powers by removing from his cognisance petty and bailable offences. The offices of the Magistrate and Collector were united as ordered by the Directors in 1831 and Joint Magistrates and Deputy Collectors were appointed to assist the Collector-Magistrate in his onerous duties. Divisional Commissioners were appointed for supervising the civil, criminal and police work of the district officers and the office of the Superintendent of Police was, as a consequence, abolished.

20. Another Select Committee went into the affairs of the East India Company in 1832 and its Report showed that, notwithstanding, the steps taken by the Court of Directors, there was no tangible improvement. The Parliament felt compelled to pass some strictures on the Indian Police at the time of the revision of the Charter of the Company which, as a consequence, had to order that "no financial consideration should be allowed to come in the way of a change so urgently needed in the Indian Police system." The Government of Bengal responded to the demand for some immediate reforms in the police administration of the Province by appointing a Police Committee which submitted its Report in 1838. The Committee expressed general concurrence in the view that the

transfer of powers of the Superintendent of Police to the Divisional Commissioner had led to a lack of uniformity and co-ordination in its direction and management. The Committee also considered the union of the office of the Collector and Magistrate unsatisfactory as magisterial duties were neglected in favour of revenue duties. Absence of control over thanadars and the largeness of their jurisdictions were criticised. The Committee also observed that there was lack of intercourse between the Europeans and Indians and suggested that Deputy Magistrates and junior covenanted civil servants, who were generally Indians, be placed in charge of sizeable areas for supervising police work, and the salary of a Daroga should be raised to Rs. 50 per month and two higher grades of Rs. 75 and Rs. 100 introduced. The Daroga must be protected against ill-treatment, capricious punishment and removal by the Zilla Magistrate and there should be a chain of promotion from the Barkandaz to Daroga. The Committee urged for an immediate investigation into the actual conditions of the Rural Police system, which must maintain continuity between the Rural Police and the paid police force. Sir Fredric Halliday, a member of this Committee, recorded a separate note suggesting complete reorganisation of the police system with a Superintendent-General as the head of the force to be assisted by four covenanted officers as deputies and a Superintendent and Assistant Superintendent for each district. The recommendation of the Committee was generally accepted. The separation of the office of the Collector and Magistrate was effected gradually and subdivisions were opened in some parts of Bengal.

21. A separate organisation was created at this period to deal with thuggi and subsequently dacoity which had become rampant. Highly rewarding results were obtained. The army came in more intimately in police work with the Mutiny of 1857. The Indian Police Commission appointed in 1860 had naturally, apart from suggesting reforms in the working of the civil corps of the police, recommended ways and means of integrating the newly acquired army component in the overall police organisation. They recommended reorganisation of a civil force for the performance of all duties of preventive and detective police and for the protection of property and maintenance of local peace and order. They disfavoured the existence of the military police, or any separate detective department like the thuggi and dacoity department and advised their absorption into the civil police. The force so constituted were to form a separate department under the Provincial Government with an independent departmental organisation and subordination of its own. To secure uniformity of action and unity of command, the general management of the force in each province was to be entrusted to an Inspector-General. A European District Superintendent of Police with one or more Assistant District Superintendents was to be in charge of the district police. The subordinate force was to consist of Inspectors, Head-constables, Sergeants and constables, the Head-constable being in charge of a police-station and an Inspector of a group of police-stations. The Commission recommended that the Commissioners of Divisions should cease to be Superintendents of Police, though their general control over the criminal administration or their authority over the District Magistrate was not intended to be limited. It was their conclusion that no magistrate other than the District Magistrate should exercise any police function. They considered it inexpedient to deprive the police and the public of the valuable aid of the District Magistrate in the management of the district police, but looked forward to the time when the police would be subordinate to none except its own officers. The Commission also recommended that the institution of the village police should be maintained in real and thorough efficiency; its local and popular character should be preserved and it should be rendered efficient for local police service. The Commission had submitted a Bill to give effect to these recommendations and this was passed into Law as Act V of 1861. This Act established the police on a Provincial basis, sketched the outline of the establishment of the Provincial Police Force and defined the statutory powers and duties of the police and the relationship that should exist between the police and the magistracy.

22. The reorganisation introduced in 1861 was intended mainly to secure unity of action and identity of system. But the majority of posts in the new scheme including all the highest offices were given to the European officers of the Indian Army and they continued to be filled from this source for some time. The supply of the European officers from the army for the police gradually dwindled and ultimately dried up almost completely. Then a system of filling all superior appointments by "nominations" was introduced. But the better European youths preferred the Indian Civil Service. Quite naturally being under officers of an inferior calibre, the reputation and efficiency of the police did not improve and an immediate remedy became essential. Though this Commission had disfavoured the idea, the Bengal Military Police Act was passed in 1892 for creating an organisation for effective suppression of civil disturbances. For similar reasons, a separate detective department was also formed, although the thuggi and dacoity department had been abolished on the Commission's recommendations. In 1866 the first railway police was constituted and on the recommendation of the Railway Committee of 1882, the responsibility for the prevention, detection and prosecution of cases and maintenance of order on the railway platforms was entrusted to the railway police. The duty of watch and ward devolved on the railway administration. In 1887 a system of competitive examination for higher appointments in the police was introduced and it was also felt at that time to take in some Indians in the superior Police Service. A few appointments in the rank of Assistant Superintendent of Police were, therefore, thrown open to selected Inspectors but it was rarely given effect to. For the reorganisation of the village police, the Village Chaukidary Act was passed in 1870 and further improvements were also made on the recommendation of the Committee set up in 1883.

23. In 1887, due to financial stringency, a substantial reduction was made in the police force resulting in increases in certain forms of crime and general inefficiency. This caused great concern both to the Government of India and to the Government of Bengal. In 1890, a Police Committee was constituted under the chairmanship of the Commissioner of Blagapur. Important recommendations made by this Committee were that the charge of the thana should not be held by an officer below the rank of Sub-Inspector and that Inspectors and Sub-Inspectors should form the cadre of "upper subordinate police" (literate branch) and the Head-constables and constables of the "lower subordinate police" (illiterate branch), that the village police should be properly organised and that for the prosecution of cases in criminal courts, there should be a proper organisation. Although another Committee was set up to implement the above recommendations, nothing was actually done till 1902, when Lord Curzon, the then Viceroy of India, ordered another Indian Police Commission for the whole of India to make careful enquiries into certain specific matters referred to them. After a prolonged enquiry, they found the following reasons for the failure of the system introduced in 1860 :—

" The system introduced in 1860 was, on the whole, a wise and efficient system. It has failed for these among other reasons : that the extent to which the village police must co-operate with the regular police has been lost sight of, and an attempt has almost everywhere been made to do all the police work through the officers of the department; that the importance of police work has been under-estimated, and responsible duties have ordinarily been entrusted to untrained and ill-educated officers recruited in the lowest ranks from the lower strata of society : that supervision has been defective owing to the failure to appoint even the staff contemplated by the law, and to increase that staff with the growing necessities of administration; that the superior officers of the department have been insufficiently trained, and have been allowed from various causes to get out of acquaintance and sympathy with the people and out of

touch even with their own subordinates; and that their sense of responsibility has been weakened by a degree of interference never contemplated by the authors of the system."

They accepted the organisational set up prescribed by the previous Commission and recommended that the post of the Inspector-General of Police should be filled by a selected District Magistrate and the Province should be divided into ranges, each under a Deputy Inspector-General. In the district in addition to the District Superintendent and Assistant District Superintendent of Police, a new rank of Deputy Superintendent of Police for Indians in the Provincial Police Service should be created whose status should be identical with that of the Assistant District Superintendent. The jurisdiction of a police-station should not exceed 150 sq. miles and the officer-in-charge should be of the rank of Sub-Inspector. The Head-constable should function as a Station Writer and not as an investigating officer. The municipal and cantonment police and the military police constituted under the Bengal Military Police Act should be abolished. For dealing with tumults and local disturbances, there should be an armed reserve force in every district. The mounted police being very expensive should be entertained only when its necessity was clearly established. For Bengal and Assam, river police should be constituted under a separate Superintendent, if necessary. There should be a Criminal Investigation Department in every Province under a separate Deputy Inspector-General for collating and distributing information regarding criminals and organised crime and for assisting in the investigation of complicated cases. The Deputy Inspector-General should also hold administrative charge of the railway police. A similar organisation under an experienced Inspector-General should be established for the whole of India.

Other recommendations related to the Presidency Police, village police, training institutions, method of recruitment, syllabus for training, discipline, pay, emoluments and pensions, conditions of service, prevention and investigation of crime, prosecution of cases and supervision and relations between the magistracy and the police. In conclusion, the Indian Police Commission, 1902, hoped that the reforms recommended by them and "the adoption on the part of the whole force of a more considerate attitude towards all classes of the community"¹ would secure as far as possible the confidence of the people. "Inferior men have to be got rid of in all ranks; and evil traditions have to be broken in the force."²

24. On the basis of these recommendations, the Bengal Police Force was reorganised in 1906. Bihar and Orissa came to be constituted as a separate Province in 1912. The police force for the new Province consisted of 1,200 officers, 12,968 constables and 222 military police. About this time a firm decision was taken to fill the post of Inspector-General from the Indian Police cadre and not from the Indian Civil Service. After the Montagu-Chelmsford reforms in 1921-22, the strength of the constabulary was raised to 15,000 and of the military police to 446 inclusive of mounted police. A new police range for North Bihar with headquarters at Muzaffarpur was created and a Constables' Training School was established at Nathnagar. Simultaneous competitive examinations for recruitment to the Indian Police started in India in 1922. As a result of the recommendations of the Lee Commission in 1924, the superior posts for the Indians in the Indian Police cadre was fixed at 50 per cent to be achieved by 1939. In 1936 Bihar was separated from Orissa and as a result, the strength of the force was reduced to 12,698, excluding officers but including the Military Police. Provincial Autonomy was introduced in 1937 but in 1939 the popular Ministry resigned and the administration of the Province was taken over by the Governor assisted by his Advisors. The strength of the police was found to be grossly inadequate

1. Paragraph 201 of the Report.

2. *Ibid.*

and substantial temporary increases were, therefore, sanctioned. After the political upheaval of 1942, the force was permanently increased to 20,235. A wireless grid was set up and the police transport was also considerably enlarged. A new Eastern Range under a separate Deputy Inspector-General with headquarters at Bhagalpur was established.

25. The Indianisation of the superior Police Service starting with the creation of the new rank of Deputy Superintendent in the Provincial Service and reservation of 50 per cent—30 per cent to be recruited directly and 20 per cent by promotion—of posts for Indian in the Indian Police cadre had brought a change in the tone of police administration and raised the morale of the force. But frequent communal riots, political unrest culminating in the disturbances of 1942 and communal carnage in 1946 created a most harassing situation for the police. The police were frequently engaged in quelling disturbances or in dealing with political parties. The task of prevention and detection of crime was left with inefficient subordinate police officers. Naturally, the standard of investigation became very low. All these contributed to the revival of the old prejudice against the police.

26. In 1947, India became independent but the country itself was partitioned. This partition and subsequent industrialisation, urbanisation and developmental activities have multiplied police problems. Efforts have been made to face the new problems effectively. The strength of the military police has been increased and Home Guards have been constituted as an auxiliary to the police. Various steps were taken between 1950 and 1958 to improve the morale of the force and raise the standard of investigation. An Advanced Training School has been established. A small force of police women has been raised. A Dog Squad has been constituted as an aid to investigation. In three districts of Bhagalpur, Saharsa and Patna, Inspectors of Police have been made officers-in-charge of police-stations as an experimental measure. A District Crime Bureau has been established in every district to maintain the criminal records in a proper manner, to render scientific assistance to the investigating officers, and in complicated cases to detail specialist investigators to take up investigations. To bring the police nearer to the people, a Public Relations Officer has been appointed whose main duty is to take immediate action for the removal of any misunderstanding that may arise between the police on one side and the people or press on the other. An Anti-Dacoity Wing under a separate Deputy Inspector-General in the Criminal Investigation Department has been formed to deal exclusively with the menacing problem of dacoity in the State.

CHAPTER III

ORGANISATION OF THE REGULAR POLICE FORCES.

27. It has been the anxiety of the Commission to ascertain if the existing police force in Bihar fulfils the requirements of the present times and whether its organisation is essentially sound and efficient. The year 1861 was the landmark in the history of the evolution of the present system after a series of unsuccessful experiments. The structure of the force has been more or less maintained intact although some organisational changes have been made from time to time, particularly in respect of recruitment, training and discipline of the force in order to raise its efficiency in the prevention and detection of crime and the maintenance of peace. The system introduced, however, was a complete break away from the structure that obtained in the ancient or medieval times. The old village police which was organised as a separate unit under its own Act was placed directly under the District Magistrate, although the personnel are only part-time public servants. They have certain statutory police duties assigned to them and they are to work under the general control and guidance of the regular police. The cities of Calcutta, Bombay and Madras, formerly known as Presidency Towns, were treated differently and their police system generally followed the pattern of the Metropolitan Police of England. The necessary variations were made to suit local conditions. This system was also introduced in the twin cities of Hyderabad and Secunderabad which were formerly in the Nizam's State and it was extended to the city of Ahmedabad in 1960. Some witnesses have indicated in their evidence before the Commission that the present police system is outmoded and requires complete reorientation, particularly as it is not in tune with the aspirations of the people. An organisation has been defined as "the grouping of related activities in a group for efficient operation". This purpose can be achieved if it has a sound structure, effectively inter-relating its territorial and functional divisions and units and also ensuring unity of command at all levels. The necessity of a perfect channel of direction and co-ordination so as to eliminate delays and frictions and establish complete harmony in the actual execution of the task cannot be over-emphasised. Thus, a service organisation with an integrated structure, a definite line of command, a clear channel of direction and co-ordination and above all, a competent level of execution will not only be effective and economical but will also ensure the maximum of operational efficiency. The Commission have been informed by several witnesses that the line of command has not been kept intact in the police. This occasionally creates confusion and also results in duplication. While there does not appear to be any very serious defect in the system itself, the Commission attach considerable importance to the views expressed before them with regard to certain deficiencies in the method of recruitment and training of police personnel and their general behaviour as also their approach to police work and methodology. Public servants today should develop their sense of responsibility in a manner that would help them in rendering service to the people with whom they have completely to identify themselves. Efficiency should mean something more than an efficient discharge of routine duties. Both official and non-official witnesses have, however, urged that the deficiency in the police is primarily due to the shortage of man-power, the lack of equipment and efficient means of communication. Many have also emphatically stated that low scales of pay sanctioned for the lower ranks have prevented suitable candidates from joining the police. It must be recognised that a police force is the aggregate of its individual members and its overall efficiency and effectiveness will largely depend on the adequacy, both qualitatively and quantitatively, of its man-power. The complaint regarding ineffective surveillance over bad characters; inefficient police investigating agency; inadequate and incompetent prosecution staff; and shortage of trial courts which have generally very heavy case lists is fairly universal. A reference to the old records would

also show that the police establishments have been always held to be 'inadequate, deplorably inefficient and grossly negligent' and more particularly the deficiency of the constabulary has been most pronounced and persistent.

28. An effort will be made in these pages to recommend such measures as might result in improvement in the work of the various branches of the police. As for surveillance over bad characters and police administration generally, the problem can well be looked upon, keeping in view the rapid industrialisation of the country with very marked movement of population from villages to towns. Bihar now is to have more and more of populous cities and the police problems in such urbanised areas have to be faced slightly differently from those posed in the rural parts. With large concentrations of population, things tend to move fast and the action that is required to be taken has to be swift and stern. The only agency that can function efficiently in a town should be the regular police which have to be so organised that the methods of surveillance over bad characters and anti-social elements and the quality of investigation of crime are improved to a degree. The Commission are, however, of the view that any effort on the part of the regular police to discharge all the duties of watch and ward including surveillance over bad characters in distant villages will be both expensive and unpractical. It is, therefore, necessary for the police-station staff to seek the assistance of the village community and to respect the leadership of the Mukhiya. For the present, the police organisation, for professional police work, both in rural and urban areas, is being examined. It is now a well accepted theory that regular police work requires, at all levels, to be handled by professional policemen, who should be trained and equipped adequately to discharge their heavy responsibilities.

29. Under section 4 of the Indian Police Act (V of 1861), the administration of the police throughout a "general police district" (a Province or a State) is vested in an officer "styled the Inspector-General of Police" assisted by such Deputy Inspectors-General or Assistant Inspectors-General as to the "local Government shall seem fit". Similarly, the administration of the police "throughout the local jurisdiction (district) of the Magistrate" is vested, "under the general control and direction of such Magistrate", in the District Superintendent of Police and such Assistant District Superintendents as the "local Government" consider necessary.

30. There are four Deputy Inspectors-General for each of the four ranges whose jurisdictions have been in recent years made co-terminus with those of the Commissioners of divisions. A Deputy Inspector-General is in charge of the Criminal Investigation Department and another is in administrative command of the Military Police battalions and the Home Guards. He is also responsible for supervising the work of the training institutions. There are 17 revenue districts, each in charge of a Superintendent of Police. The revenue district of Singhbhum, however, has a second independent police district at Jamshedpur, in charge of its own Superintendent. There are also two Government Railway Police districts, each under a Superintendent. A revenue district is divided into revenue subdivisions and further sub-divided into police circles and police-stations. Only in certain revenue subdivisions and circles, officers of the rank of Assistant or Deputy Superintendent have been appointed to hold charge of police work. A circle is generally held by an officer of the rank of Inspector of Police and each such circle has a number of police-stations of which the officers-in-charge are generally of the rank of Sub-Inspector of Police. It will be necessary to deal with the organisation at every level separately.

31. The Commission are of the view that the unity of command resting with the Inspector-General should never be disturbed. He should continue to be responsible to Government for the administration of the police force in the State and should be in its overall charge. Many witnesses have advocated before the

Commission that the work of the Inspector-General has increased to such an extent that it was not possible for him to discharge effectively all his responsibilities in such a populous State. He should, therefore, following the example of some of the other States, be given an Additional Inspector-General. The Commission are, however, of the view that it would not be necessary to appoint an Additional Inspector-General, provided that the Inspector-General is given necessary assistance in the matter of disciplinary control and inspections of police charges by officers of the rank of Deputy Inspector-General. It has also been suggested that the Inspector-General should be made ex-officio Secretary to Government in the Political Department to expedite disposal of police schemes and proposals which are sometimes held up for long periods and that he should be authorised to deal with transfers and postings of Assistant and Deputy Superintendents of Police independently. At present, he is only authorised to transfer an Assistant or Deputy Superintendent, if it does not involve more than two postings. The Commission are not in agreement with the view that the Inspector-General should be made ex-officio Secretary to Government. As the question of transfers and postings of Assistant or Deputy Superintendents and the suggestion that following the pattern of other States, police should also have its own administrative department in the Secretariat involve a matter of policy, the Commission desire to leave them to the consideration of Government, but they recommend that a comprehensive scheme of decentralisation may be drawn up by the administrative department for the approval of Government, if unnecessary delays have to be eliminated.

The assistance that the Inspector-General has got in his office, is, on the whole, adequate and the present set up, except for slight changes, suggested later in this Report should continue.

32. The posts of Deputy Inspector-General of Police were created to assist the Inspector-General to discharge his heavy responsibilities. One of the most important functions of the Deputy Inspector-General is to assist the Inspector-General in the inspection of the police charges and in dealing with cases of indiscipline and any other work connected with the internal economy of the force. Appeals in disciplinary cases against orders passed by a Superintendent lie with the Deputy Inspector-General. He is the appointing and dismissing authority of officers of the rank of Assistant Sub-Inspector and Sub-Inspector. In such cases, the Inspector-General is the appellate authority. A few witnesses have suggested that the posts of Deputy Inspectors-General are superfluous. The Commission are not in agreement with this view. While there may perhaps be room for reduction in the number of ranges, particularly when Deputy Inspectors-General have come to be appointed to take charge of certain specialised units of administration, the Commission will not advise the abolition of this rank altogether if the Inspector-General of Police has to be given the much needed assistance for performing certain of his routine duties connected with inspection, discipline and administration generally. Apart from assisting the Inspector-General, he also instructs, advises and guides the Superintendents of Police. It is his responsibility to see to it that every district in his charge works in collaboration with others and not independently. He has the particular advantage of co-ordinating the efforts of the districts towards prevention and detection of crime. Placed between the Inspector-General and Superintendents of Police, he forms the backbone of police administration. At present there are four ranges whose jurisdictions are co-terminus with those of the Commissioners' divisions. Each range is held by a Deputy Inspector-General. The Criminal Investigation Department which was, till lately, held by one Deputy Inspector-General has been temporarily split into two branches. The post of another Deputy Inspector-General in the Criminal Investigation Department was created recently on a temporary basis from funds saved by temporarily reducing the strength of the Bihar Military Police. It was necessary to create this post in view of the growing incidence of violent crimes like dacoity and highway robbery. Their investigations have to be broad-based and in many instances conducted by

officers with experience of work in the Criminal Investigation Department. The second Deputy Inspector-General was primarily meant to control the newly created Anti-Dacoity Wing. Ever since the creation of this post and the establishment of the Wing, the success in the investigation of dacoities has been so marked and the surveillance over bad characters so effective that in the last two years the incidence of this heinous crime has been reduced by nearly 50 per cent when compared to any of the averages of the last decade and a half. There was almost a complete unanimity of view expressed before the Commission that the Criminal Investigation Department should function as such and the Special Branch should not form part of it. This branch has very onerous task connected with the security of the country, particularly so, after India gained Independence and the State of Bihar has such a long international border. The Commission are in agreement with these views and recommend that the post of the second Deputy Inspector-General created on a temporary basis should be made permanent and the Crime and the Special Branches, as suggested later in Chapter V, separated. The Indian Police Commission of 1902 had recommended that the Deputy Inspector-General in charge of the Criminal Investigation Department should also hold the administrative charge of the railway police districts and should be designated Deputy Inspector-General, Crime and Railways. The Commission recommend that this system should be re-introduced and the Range Deputy Inspectors-General relieved of their responsibility of looking after these districts. They have jurisdictions extending far beyond any one range and violent crimes on the railways which have such wide ramifications have been causing considerable anxiety to the people and for their efficient investigation, the administrative control should vest in the officer who is also in charge of the Criminal Investigation Department. He should be styled Deputy Inspector-General, Crime and Railways.

A Deputy Inspector-General has been appointed to hold the administrative charge of the Military Police and Home Guards as also the training institutions. It is the view of the Commission that if the discipline of the military police battalions and the Home Guards has to be maintained at a high level, it is essential for this post to continue. Their total strength is nearly 10,000. This officer, in the view of the Commission, should, however, take over the Police Wireless, the Police Transport and the Bihar Fire Service.

The Commission attach considerable importance to the training of officers and have recommended in this Report an elaborate scheme relating to both basic and in-service training for the various ranks. At present the Deputy Inspector-General, Military Police, looks after the Police Training College and the Constables' Training School in addition to his own duties. This is not a very satisfactory arrangement, particularly when the Commission have recommended that all the training institutions should be located at one place and the Advanced Training School for in-service training and the proposed Traffic School should also be brought under one unified control. The Principal of the Police Training College at Hazaribagh is generally a senior Superintendent of Police. If he has to take charge of the four institutions, he should, in the view of the Commission, hold a higher rank. The Commission recommend that he should be of the rank of Deputy Inspector-General and if a senior retired officer of proved merit is available, he could be re-employed as the head of these training institutions. This recommendation is being made mainly to ensure that this important branch is looked after by an officer who is really rich in experience and mature in age.

Relieved of the administrative charge of the railway police districts and with the division of work as suggested in this Report between the Range Deputy Inspectors-General, the Deputy Inspector-General, Crime and Railways, the Deputy Inspector-General, Special Branch and the Deputy Inspector-General, Military Police to be hereafter called the Special Armed Police, the Commission hope that the work of the Deputy Inspectors-General in the ranges would not be as heavy as at present. It is also the considered view of the Commission that the existing jurisdictions of the four ranges are not conducive to efficient crime administration and if anything, the boundaries of the ranges hamper effective co-ordination

of crime work in the various districts. Before 1942, there were only two ranges in the State but because of the high incidence of dacoities and for certain political reasons, two more ranges came to be created. The Commission are of the view that one range could perhaps be abolished for the present and the State could well be served by three police ranges with natural geographical boundaries which, as it happens, coincide very well with the areas of activities and movements of criminals. The Commission, therefore, recommend that there should be one range for all the districts north of the river. This was so before 1942 when even the districts of Bhagalpur and Monghyr formed part of the Northern Range. The new Northern Range that the Commission recommend to be delineated should consist of the districts of Champaran, Saran, Muzaffarpur, Darbhanga, Begusarai (police sub-district), Saharsa and Purnea and the Central Range on the basis of this redistribution would control the districts of Patna, Gaya, Shahabad, South Monghyr (police sub-district), Bhagalpur and the Santhal Parganas. All the staple forms of crime would then be more equitably distributed between these two ranges. At present, the Eastern Range which has jurisdictions, both north and south of the Ganges, has the heaviest incidence of crime. In fact it has been urged that since it is the heaviest range, Bhagalpur should continue to be the headquarters of one range but its jurisdiction being bifurcated by the river does not make for efficient co-ordination of measures for crime control. The Commission are, therefore, of the view that the central belt south of the river should constitute one range with headquarters at Patna. If it is found difficult in practice to effect economy and the Northern and the Central Ranges are found to be heavy, Government may again consider the creation of a fourth range but the jurisdictions of the ranges should be carved, keeping well in view, the various problems of crime and the movement of professional criminals. The jurisdiction of the Southern Range which may not have the same high incidence of crime as the other ranges should continue to be the same as at present as it controls an area where industrialisation has been very heavy and rapid and which has well defined and clear geographical boundaries.

33. Every district police force has as its head an officer of the rank of Superintendent of Police. Several witnesses, both official and non-official, have urged that the area and population of the average district in Bihar are so large that it is not possible for one Superintendent to supervise the police work and maintain the discipline of the force effectively. Almost in every heavy district, an Additional Superintendent has already been posted by Government to assist the Superintendent. There is, however, substantial evidence before the Commission to indicate that this scheme has not worked satisfactorily. The distribution of duties between the Superintendent and Additional Superintendent when the Superintendent himself is held responsible for the police administration of the district, has not proved conducive to efficiency and has affected adversely the channel of direction, co-ordination and supervision. The suggestion, that the work between the two Superintendents should be divided on territorial rather than on functional basis, has, therefore, appealed to the Commission and is readily accepted. The Commission have also been informed that the scheme of splitting up some of the larger districts is being considered by Government. Any such step will be most welcome as the Commission are also of the view that the unwieldy size of a district is a very serious impediment to efficient administration. Pending the larger issue, the Commission recommend that the heavy districts should be split into two police districts without any delay.

In the past, Dhanbad was a sub-district within the revenue district of Manbhum. Saharsa started as a sub-district within the revenue district of Bhagalpur and even at present Jamshedpur is an independent police sub-district within the revenue district of Singhbhum. The Commission recommend the creation of police sub-districts within the revenue districts of Patna, Gaya, Shahabad, Saran, Darbhanga, Hazaribagh, Monghyr and the Santhal Parganas with immediate effect. As these districts, except Darbhanga and Hazaribagh, have already got a second Superintendent of Police designated as Additional

Superintendent, the question of cost or expediency does not arise. The territorial division should be given effect to in the following manner :—

Patna—At present Patna district has three Superintendents, namely, the Senior Superintendent of Police, who is in overall charge of the entire district, the City Superintendent of Patna City and its environs and the Additional Superintendent in charge of crime control in the rural areas. In a metropolitan city like Patna, the Commission have good reasons to believe that such a system has not worked as satisfactorily as it could, in spite of the three Superintendents. Biharsharif is a very populous city with a population larger than that of many district headquarters. The Commission consider that Biharsharif should immediately be made the headquarters of a police sub-district and should comprise the difficult subdivisions of Bihar and Barh of the district of Patna. The Additional Superintendent at present posted to Patna, should be located at Biharsharif and styled as Superintendent of the police sub-district of Biharsharif. The post of City Superintendent as such should be abolished and the Sadar and Dinapore subdivisions should form, for the present, one police sub-district under a Superintendent. His headquarters should be located at Dinapur, which is also the headquarters of the subdivision and an important army station. The Senior Superintendent, in the view of the Commission, should be placed in charge of the city of Patna and its environs, which has a growing population and where problems and commitments are only peculiar to a capital city. This subject has been dealt with in greater detail when discussing the city police system.

Gaya—Pending the transfer of the Nawadah subdivision to the proposed Biharsharif district, the Commission recommend that the district of Gaya should be split into two police districts, one comprising Jehanabad and Aurangabad subdivisions with headquarters at Aurangabad and the other comprising the Sadar and Nawadah subdivisions with headquarters at Gaya. The second Superintendent in Gaya should take charge of the Aurangabad sub-district.

Shahabad—The splitting up of this district into two police sub-districts should be simple. The subdivisions of Sasaram and Bhabua should make an ideal police sub-district and the Additional Superintendent of Police of Shahabad should be designated as Superintendent of Police, Sasaram. Arrah will continue to be the other headquarters.

Saran—The distribution of work on territorial basis between the two Superintendents of Police of Saran should also not create any complication. Siwan and Gopalganj subdivisions should form one police sub-district with headquarters at Siwan. Chapra with the large and unwieldy Sadar subdivision will continue as the headquarters of the other police sub-district.

Darbhangha—There is no Additional Superintendent of Police at Darbhanga but the large population and the difficult terrain, not to say of a very extensive international border, require the splitting up of this heavy district. The Commission propose that pending the splitting up of the revenue district, a police sub-district should be created in the north with headquarters at Madhubani and should comprise the present Madhubani subdivision. Darbhanga should continue to be the headquarters of the police sub-district, comprising the Sadar and Samastipur subdivisions. If Samastipur subdivision is, however, to be transferred to the proposed district of Begusarai then the district of Darbhanga will not require being split up any further.

Hazaribagh—This district on the Chotanagpur plateau has large hilly tracts interspersed with sizeable industrial pockets which are so scattered that their administration from the headquarters of the district is inherently difficult. The Commission, therefore, recommend that the post of a second Superintendent should be created for this district and a police sub-district established with headquarters at Giridih. It should comprise the whole of the Giridih subdivision and the Kodarma police circle of the Sadar subdivision. The main industrial belt of the district will fall in the Giridih police sub-district.

Monghyr—For all intents and purposes, this district has already been split into two. Begusarai and Khagaria subdivisions should now constitute an independent police sub-district with headquarters at Begusarai. The Sadar and Jamui subdivisions of Monghyr should be the other sub-district, south of the river.

Santhal Parganas—The very large tract to be administered in this district, presenting certain peculiar problems, requires two Superintendents of Police and the Additional Superintendent now posted to Dumka should be independent of the Superintendent of the Santhal Parganas and placed in charge of a police sub-district, comprising the subdivisions of Sahebganj, Godda and Pakur. Dumka will then become the headquarters of the district comprising Sadar, Deoghar and Jamtara subdivisions.

The distribution suggested above can be achieved without any delay. If the necessary buildings are made available, the headquarters of the new districts, that have been proposed, could be set up immediately. It is possible that in some of these headquarters, buildings on lease or rent may also be available. But lack of accommodation at any of the proposed headquarters need not necessarily delay the territorial distribution and the two police sub-districts could, for the present, function from the same headquarters. The Commission found this system working satisfactorily in some of the districts of Madras. The expenditure involved in these suggestions is small and should not require much of extra staff at any level. A statement showing the jurisdiction, area, population and volume of crime of the proposed police districts is given in Appendix III.

34. The Indian Police Commission of 1860 had created a cadre of European Assistant District Superintendents to provide a "second officer" Assistant and Deputy Superintendents. in the larger districts where the work of Superintendents was heavy. The Indian Police Commission of 1902 had found that it was not possible to provide necessary superior assistance to the Superintendent of Police from a very small cadre of Assistant Superintendents meant entirely to fill the cadre of Superintendents. They, therefore, recommended the creation of a cadre of Deputy Superintendents in the Provincial Service with the same departmental status as the Assistant District Superintendents. The two cadres of Assistant and Deputy Superintendents of Police were to provide all the superior assistance that the Superintendent required. The Commission fully endorse the view that it is essential that every Superintendent should have a dependable and efficient second officer always available to him at headquarters. At present, these officers are utilised in a manner contrary to the principles which guided the creation of their posts. They are so much over-burdened with miscellaneous duties at headquarters or at subdivisions as Subdivisional Police Officers that they are not readily available to function as second-in-command. Some witnesses are of the view that it is unnecessary now to retain the cadre of Deputy Superintendents of Police as the purpose for which it was created has ceased to exist. The posts of Assistant Superintendent in the past were almost entirely filled by Europeans and those of Deputy Superintendents by Indians, both holding identical departmental status. In a force, it is undesirable to have two classes of officers performing identical duties but getting different emoluments under different conditions of service. While there is force in

this argument, the Commission will not recommend either the enlargement of the cadre of Assistant Superintendents or the abolition of the cadre of Deputy Superintendents. In the former event, the prospect of promotion of Assistant Superintendents will be jeopardised and in the latter, the necessary superior assistance will not be available to the Superintendents of Police.

At one time, Bihar and Orissa together had a cadre of 12 Deputy Superintendents only. In 1940 the strength was raised to 28 but at present the number has increased to 127. Owing to this large expansion of the cadre, many directly recruited Deputy Superintendents of Police can never hope to earn even one promotion to the Indian Police Service in spite of a very good record of service as the percentage of promotion to this superior rank is already fixed and is unlikely to be raised without damaging the future prospects of Assistant Superintendents. It is the considered view of the Commission that there are but two courses open for finding this "all important second officer", either to enlarge the cadre of Assistant Superintendents to an extent that one such officer is posted under every Superintendent or to allow the cadre of Deputy Superintendents to continue but only for the purpose of finding a dependable second officer. Any expansion of the cadre of Assistant Superintendents will be both expensive and inexpedient. The Commission, therefore, recommend the constriction of the cadre of Deputy Superintendent to an extent that between the two cadres of Assistant Superintendents and Deputy Superintendents, only the required number of second officers is found. The principle, on which the strength of this cadre should be determined, according to the Commission, is that every Superintendent of Police or officer of an equivalent rank in charge of a police unit should have an Assistant or Deputy Superintendent of Police as a second officer. The Commission must emphasise here that any attempt to enlarge this cadre for discharging lesser responsibilities, although appearing to be superior in character, should be discouraged for two very important reasons. First, that this will ensure that both the cadres of the Assistant and Deputy Superintendents will be so selective as to give the Superintendent of Police a good second-in-command, who can easily assume all his responsibilities; and, secondly, that the cadre of Deputy Superintendents would be kept small, as it was in the past, so that the serving officers do not suffer from any sense of frustration due to very dim prospects of promotion that exist at present. Before the Indian Police and State Police Service cadres were reconstituted in 1947, every fourth Deputy Superintendent of Police could hope to become a Superintendent in the listed posts reserved for them in the Indian Police. At present, in spite of the percentage of reservation being raised from 20 to 25, every tenth Deputy Superintendent alone can aspire to be a Superintendent. This is a most unsatisfactory state of affairs and the Commission rightly fear that the high traditions set up by this sturdy and dependable service can never be kept up. In fact there is good reason to believe that the rot has already set in. If the cadre of Deputy Superintendents is to be set up in the manner indicated above, every fourth or fifth Deputy Superintendent can hope to get into the Indian Police Service. The Commission are also not in favour of retention or extension of the scheme which provides for posts of Subdivisional Police Officers for the revenue subdivisions as they create another level of supervisory officers between the Circle Inspectors and the Superintendent of Police. There is evidence before the Commission to indicate that this system has not been helpful in fixing the responsibility of work connected with supervision. According to a rule¹ of the Police Manual the work of the Subdivisional Police Officer and the Circle Inspector is almost identical and this duplication in supervision at the lower level only leads to diffusion of authority, and confusion in work and has also undermined the sense of responsibility of the Circle Inspectors. In this background, the Commission recommend that there should be only one strong line of supervisors in the field between the Superintendent and the police-stations and they should be all full-fledged gazetted officers who should take the entire responsibility of the work of supervision of all police-stations. As for affording relief to the

1. Rule 53 of the Police Manual.

Superintendent, it can be better achieved by reducing his territory which the Commission have already recommended earlier. No chief can oversee his charge too often and by the creation of the post of Subdivisional Police Officer, the Superintendent's control has tended, if anything, to be a little more remote than what it should be. Assistance given to him at headquarters would be of greater avail. In these circumstances, the Commission strongly recommend that the post of Subdivisional Police Officers as such should be abolished. There are only 25 such officers in the mufassil subdivisions at present. Eight of these subdivisional headquarters are to become the headquarters of districts and therefore, the necessity of retaining the post of Subdivisional Police Officer in these places will not exist. But pending the creation of the eight more police districts, eight posts of the Subdivisional Police Officers should be retained, to be abolished as and when those headquarters get their own Superintendents. The other seventeen posts of Subdivisional Police Officers should be abolished. The Commission are, also cognisant of the necessity of providing additional assistance of the superior type to the Superintendent for work connected with the running of the office, the supervision of cases, inspection of police posts and the general management of the district executive force. They have examined this matter and have come to the conclusion that this kind of assistance can well be provided by a new cadre of dependable and trustworthy officers to be recruited into a full-fledged gazetted service. On the analogy of Class II of the State Services, a grade of Chief Inspectors should be created. Such posts of great responsibility exist in Great Britain. The rank and status of the Chief Inspector should be immediately below that of the Deputy Superintendent. These officers, in the view of the Commission, could, with confidence, be trusted to take charge of the various sections, or branches of police work in a district, e.g., Accounts and District Crime Bureau and fill with equal efficiency and other post which hitherto has been filled by a Deputy Superintendent. The cadre of Chief Inspectors will be a little over 300 in strength and if the recruitment in the rank of Deputy Superintendent is to be reserved for Chief Inspectors to the extent of 50 per cent of that cadre, these 300 officers will also have adequate chance for promotion. If the Chief Inspectors justify their appointment and establish a reputation for efficiency and integrity, the proportion of posts in the cadre of Deputy Superintendents to be filled by departmental promotion should be progressively increased. Twenty five per cent of the posts in the cadre of Chief Inspectors are, for the present, to be reserved for direct recruits from the open market and the other 75 per cent will be drawn from the rank of Inspector. This ratio is capable of variation in favour of departmental officers if they come up to the required standard.

35. A group of police-stations is placed in a police circle which is generally in charge of an officer of the rank of Inspector of Police. The Indian Police Commission of 1902-03 had recommended that an average police circle should consist of 5—8 police-stations. In Bihar, the picture now is that there are, except in towns, on the average 5—8 police-stations in a circle. There is overwhelming evidence before the Commission to indicate that such a circle charge is unwieldy, if the key supervising officer in charge of it is to discharge his responsibilities efficiently. The Commission are of the view that the extent of these charges should be reduced and no circle should consist of more than four police-stations and in case of a large town and its environs, as at present, should form but one circle.

Wherever the Commission have gone, there has been a strong opinion expressed that the existing system of initial supervision leaves much to be desired and many witnesses have advocated that a circle should be held by a Deputy Superintendent. There has been no difficulty presented in the districts where they have been holding charge of circles on the ground that the work of co-ordination has suffered. The Indian Police Commission of

1902-03¹ had found that the system of supervision by Inspectors was defective in as much as Inspectors were "not men of the qualifications, character and influence required; their charges were not definite and responsibilities not defined". The present position no doubt is that a Circle Inspector has a definite charge and his responsibility is well defined. The Commission, however, are in agreement with the views expressed by many witnesses that the system of supervision at this level has failed primarily due to the fact that an average Circle Inspector is not of the calibre of an effective supervisor as he is by no means a cut above the average officer-in-charge of the police-station whose "mistakes and abuses he has to check and detect". The creation of the post of Subdivisional Police Officer was obviously with the purpose of strengthening the first line of supervisors and of affording the Superintendent some relief but the primary purpose as observed earlier has not been served at all. If Chief Inspectors of the class contemplated by the Commission are made available to take charge of circles, both by direct recruitment of good graduates of the University through a competitive examination and by selective departmental promotion, there should be no necessity of having both a Subdivisional Police Officer and a Circle Inspector. The Chief Inspector could well combine in himself the two posts with credit and much of the criticism made before the Commission regarding the gross inadequacy of supervision at this important level should disappear. Such a set up, in the view of the Commission, would also ensure economy in man-power and expenditure and build a pyramidal structure, so necessary in a force.

36. That a police-station is the key-stone of the entire police edifice is well accepted and unless it has a very strong construction, the whole
Officers-in-charge of police- stations and their staff. police fabric may well get tattered. Such were the sentiments expressed by a large number of witnesses.

The Commission visited several police-stations, both in urban and rural areas, to study the problems at first hand and they discussed with many police officers in order to ascertain their difficulties. The unanimity of opinion of the witnesses examined by the Commission appears to be that the staffing of police-stations in Bihar is inadequate and needs improvement.

The thanadari police system introduced by Lord Cornwallis in 1793 suffered from certain major defects, namely, large and unwieldy jurisdictions, poor and inferior quality of the officer-in-charge and inadequate strength. These handicaps, the Commission have found, continue even at present. In their attempt to revitalise the police-station, the Commission have kept all these defects in view.

There are a number of police-stations with such difficult terrain and extensive jurisdictions that effective control of the officer-in-charge can seldom be maintained. While steps have been taken recently to establish a few more police-stations in the rural areas, it seems necessary to establish some more, so that their jurisdictions are both manageable and compact. The Commission agree with the view expressed before them that the three important considerations which should weigh in delineating the jurisdiction of a police-station are (a) the territorial extent and its terrain; (b) the population, its density and socio-economic characteristics; and (c) the volume and complexity of police work in terms of police duties, particularly connected with investigation and prevention of crime. The Commission have been informed that Government have already established some rural police-stations with jurisdictions co-terminus with those of Anchals. This is a step in the right direction and such a step in the view of the Commission will be administratively convenient and will by itself take well into account the considerations that should guide in fixing the size of a rural police-station. But there may be certain exceptional circumstances created by a difficult terrain, the incidence of crime and other police problems that

may require a different treatment. For example, in such police-stations where the topography and terrain demand a smaller police post in order to police an area not easily approachable from the police-station headquarters, there should be an out-post under the parent police-station.

While the Indian Police Commission of 1902-03 recommended the average area of a police-station, they did not consider making any specific recommendation with regard to the size of an urban police-station as the problem of urbanisation obviously did not confront them. In view of the evidence laid before the Commission and the population trends in the last two decades, the jurisdiction of an urban police-station should, in the view of the Commission, include only the urbanised areas which fall within the municipal limits and such other contiguous areas around it and its environs as would facilitate a more efficient crime control. The Commission are clearly of the view that the jurisdiction of a town police-station should not include extensive rural areas which would take its officers away from their headquarters for long periods. In view of rapid industrialisation in the State, there will be some rural police-stations where populous industrial pockets will require their own police-station and its jurisdiction should be delineated on the lines of an urban police-station.

Having considered the principles on which the jurisdiction of a police-station should be determined, the Commission then proceeded to examine the question of its staffing. The staffing of a police-station has followed almost the same pattern as evolved in 1902 and the officer-in-charge of the police-station as defined in the Code of Criminal Procedure, continues to be commonly called as Daroga. His pay and emoluments have, however, been raised from time to time but it appears, according to many witnesses and the Commission are in agreement with them, that his salary and rank have never been in line with the vast powers that he exercises under the law and the great responsibilities that he must shoulder for the good of the people. The requirements of the officer-in-charge today are far greater than what they were previously. In view of the responsible duties that he has to perform, it would also not be quite fair to equate his emoluments with officers of comparable status in other branches of Government. He must be an officer of such a calibre and status as to command the ready and willing obedience of the staff placed under him and he should also, at all times and everywhere, enjoy the complete confidence of the people committed to his care. The Commission have, therefore, extensively examined the problem confronting the administration of a police-station. A police-station has been defined in section 4(s) of the Code of Criminal Procedure. It is the most important unit for the registration of crime, for the investigation of cases, and for adopting effective measures for preventing crime and maintaining the peace. Some witnesses appearing before the Commission have strongly advocated that each such branch of work should have its own chief and several, including officials and non-officials, have urged that the investigating staff and the law and order staff should be separated, mainly on the ground that the law and order duties are so compelling that the officer-in-charge is not able to devote as much time as he should to the investigation of crime and its prevention. It has also been argued that separation of functions will not only help in specialisation but also raise the standard of investigation. The Commission are, however, of the opinion that the integrity and authority of the officer-in-charge, as defined in the Code of Criminal Procedure, has to be preserved and unless the law is amended which the Commission are not prepared to recommend, he should continue to function as hitherto. After weighing all the evidence before them, the Commission are of the view that separation will not serve the purpose and may cause some confusion. The standard of investigation can well be raised if properly trained investigating officers are posted in adequate numbers to the heavier police-stations under the much harassed officer-in-charge who should also be afforded the necessary relief in his office work, and who must have a compact and manageable charge. If he is himself fully qualified in all respects, the entire administration of

the police-station will be more efficient. The poor quality of investigation has always worried Government and as long ago as 1857, it was observed by a Vice-President of the Governor-General's Council that "the detection of crime, I do not doubt, will be best managed by quite a different class of men whose number will be comparatively very few and whose qualification must be very different from those required by a sturdy and spirited body of fighting policemen". Thus the officer-in-charge who has to bear the brunt of the work connected with investigation has to be a bigger man. The investigation of crime needs careful, able and experienced handling by educated and adequately trained officers who should be afforded the necessary time to devote to this very important work. A really congenial climate has yet to be created in a police-station. Investigations have suffered greatly because fully trained and honest investigators have not been made available in every police-station. Moreover, the yardstick laid down by the Indian Police Commission of 1902-03 that there should be one officer to investigate 100 cases reported in one year might have worked satisfactorily had the officer-in-charge not been included in the calculation. His duties connected with law and order and with miscellaneous work today are so heavy that by himself he cannot efficiently investigate as many as 8-9 cases per month and also be responsible for the most pressing and compelling work of maintaining the peace. The yardstick has to be reduced and the Commission are of the opinion that instead of separating law and order duties from work connected with investigation, the number of qualified investigating officers must be raised. The Commission, therefore, recommend that there should be one investigating officer for investigating 60 to 70 cases per year. If the work connected with law and order in a police-station is heavy, a second officer should be posted irrespective of the number of cases registered, for an officer-in-charge would find it extremely difficult to investigate 5 to 6 cases per month and also ensure peace and tranquillity in a police-station, located particularly in an industrial area. It should, however, be left to the department and Government to determine whether a second investigating officer should be posted to a police-station even where the number of cases reported may not exceed 60 to 70 per year. In any case such a structure should be more the exception than the rule. By and large, the officer-in-charge of a police-station with 60 cases in a year or 5 cases per month can well shoulder all his responsibilities. It is, however, the firm view of the Commission that in an urban police-station, including police-stations at the headquarters of revenue subdivisions, irrespective of the incidence of crime, it should have one or more officers based on the yardstick recommended other than the officer-in-charge for investigation of cases. Duties connected with law and order and miscellaneous work are so heavy in such police-stations, that the officer-in-charge has little time to give his undivided attention to the investigation of crime. In such a scheme of staffing, the quality of investigation should improve, particularly if those entrusted with investigation work are well educated, properly trained, better equipped and are given the requisite emoluments. The commitments of the officer-in-charge in the present context are heavy and because of the tradition, his pay, and status, he cannot shoulder such heavy responsibilities. By merely raising his pay, the desired result may not be achieved. He must get a good team of officers made clearly subordinate to him so that they can work for him loyally, honestly and efficiently and he must be number One in the police-station to command obedience and respect. It is, therefore, most important that the staffing in the police-station also follows strictly a pyramidal structure. Almost every witness appearing before the Commission has also very strongly advocated the raising of his salary and status. The Commission are in complete agreement with this view and recommend that the officer-in-charge of a police-station should be designated an Inspector of Police and draw a higher pay. In order that he does not acquire habits which are detrimental to efficiency when he starts his work he must have a broad outlook. To ensure it, direct recruitment is essential and the Commission recommend that 50 per cent of the posts be filled by direct recruitment through a competitive examination from the open market. The Indian Police Commission of 1902-03, in fact, had advocated that all the appointments of

officer-in-charge should be by direct recruitment. Many witnesses have also been in favour of a hundred per cent direct recruitment but the Commission would not like to go so far as that and would keep open 50 per cent of the vacancies in this rank for well qualified and fully trained departmental officers. The earlier Commission had also observed that investigations by Head-constables who have since been restyled Assistant Sub-Inspectors, "were the most defective because of abuses". Falling in line with this view, Government framed very clear rules¹ almost debarring Assistant Sub-Inspectors from investigating cases. Unfortunately due to pressure of work, exigencies of public service and the understaffing of police-stations, the Assistant Sub-Inspectors have been called upon, more and more to investigate cases. This has been, in the view of the Commission, most unfair to the Assistant Sub-Inspectors themselves as they are not really educated or trained for shouldering the higher responsibility of investigation but recruited primarily for keeping the records at the police-stations. The promotion of Head-constables later styled as Assistant Sub-Inspectors "were to be distinctly exceptional" and strictly limited and in no case was it to exceed 15 per cent of the vacancies in the rank of Sub-Inspectors. Several witnesses have said that these observations of the earlier Commission would apply equally well even now although the Commission would like to observe that some Assistant Sub-Inspectors have done exceptionally good work and have filled the breaches quite satisfactorily. If they had the proper educational background and the required training and were given adequate emoluments, their standard of work might have been better. Such a scheme would not only be wasteful and unpractical but would affect adversely, as it has done hitherto, the efficiency of record keeping which is the main responsibility of an Assistant Sub-Inspector and vital to the administration of a police-station. There is almost complete unanimity in the opinion expressed before the Commission that this rank should be abolished. The Commission are in agreement with this view. The post of Assistant Sub-Inspector has now served its purpose. If he were to investigate cases, he should be a bigger man. The Commission, therefore, recommend that the post of Head-constable should be revived and he should be made squarely responsible for maintaining records and for doing all the work connected with the Sherista. Where a second investigating officer is required, he should be drawn from the new rank of Assistant Inspectors that the Commission recommend to be created. They should be educated men with the minimum qualification of an under-graduate and should be fully trained as investigating officers from the very start of their career. This will obviate the necessity of calling upon an Assistant Sub-Inspector or a Head-constable to perform such duties as are not in their line. There may be occasions when the Head-constable may be called upon to attend to a complaint of a cognisable case in the absence of the officer-in-charge of the police-station. He should record the information in the station diary which is to be kept in his charge and proceed to the spot for taking preliminary action, simultaneously informing the officer-in-charge of the police-station if he is on tour in his jurisdiction. If he is, however, not readily available because of a more important tour, sickness or otherwise, then the information should be relayed immediately to the Chief Inspector of the circle for deputing an officer from another police-station, proceeding himself to the spot to look into the case. This will obviate the necessity of a full dress investigation by the Head-constable but will not jeopardise the interest of the case in any way. The Head-constables' training will include the training to take preliminary action.

As regards the strength of the constabulary in a police-station, rural or urban, it has necessarily to be determined on the workload of duties that the constables have to perform. At present the average strength is 8-9. In the view of the Commission the strength of a police-station should not be less than 10 if they have to perform the duties entrusted to them adequately. The Commission have, on purpose, not recommended any substantial increase in the strength of the constabulary for work connected with watch and ward in

1. Rules 88 and 158 of the Police Manual.

rural areas which should now squarely devolve on the Rural Police and the Village Volunteer Force of the Gram Panchayat.

The officer-in-charge is to be an Inspector of Police. The second officer to assist him in the investigation of crime and for preserving peace should be of the rank of Assistant Inspector. One or more Head-constables, depending on the workload should assist him in maintaining the records. Even in a small rural police-station, a second Head-constable, in the view of the Commission, should always be posted for assisting the senior Head-constable in clerical duties and helping the officer-in-charge in his management of the constabulary. Such a scale of staffing will ensure a sound structure and preserve the authority of the officer-in-charge so necessary for the well-being and efficiency of the thana police.

Inspectors.—For the sake of economy, the Commission recommend that the cadre of Inspectors who are to take charge of police-stations should be in two scales. The higher scale, which should be about the same as at present sanctioned for an Inspector of Police, should be open to those who are posted to take charge of urban police-stations and such of the rural police-stations where the annual figure of crime exceeds 120. Inspectors on the junior scale of pay should normally take charge of a rural police-station with low incidence of crime. All the posts in the senior scale, should be filled by promotion of Inspectors on the junior scale. The vacancies in the junior scale should be filled by departmental promotion and direct recruitment on the basis of half and half. The minimum educational qualification of an Inspector to be appointed directly from the open market through competition will be that of a graduate of a recognised University.

Assistant Inspectors.—As this new cadre will supply the bulk of the investigating officers, it is the anxiety of the Commission that its officers acquire a high standard of efficiency and integrity, and that these standards are well preserved. The appointment to this basic investigating rank should largely be by direct recruitment. The minimum educational qualification should be that of an under-graduate of a University having studied for at least two years and passed at least Part I of the prescribed degree examination. Only such Head-constables should be promoted to this rank as are of exceptional ability and proved integrity and 20 per cent of the vacancies only be filled by such departmental promotion.

Head-constables.—These posts should be filled entirely by promotion of suitable and educated constables. In the present day to call him a Writer Head-constable would be a misnomer. They will perform all the clerical duties in a police-station and take charge of the constabulary detailed for watch and ward as also traffic control. Before a constable is promoted to this rank he must pass the necessary course to be designed for the performance of all the duties that are to be assigned to him in a police-station.

Constables.—The strength of the constables in an average police-station is 8-9. One amongst them, who is generally a Matriculate, is styled as Writer or Literate Constable. He does not constitute a separate rank but gets a Writer's allowance of Rs. 5 per mensem, over and above the basic pay of a constable. The other constables, *inter alia*, perform the following duties :—

- (1) Sentry duty.
- (2) Hajat duty whenever there is a prisoner in the lock-up.
- (3) Duties connected with surveillance over bad characters.
- (4) Patrol duty in crime centres.
- (5) Duty connected with escorting of prisoners and dead bodies and service of processes.

A constable invariably accompanies the investigating officer on tour and sometimes even takes a hand in the investigation of crime by way of pursuing criminals, etc. He has to perform onerous duties and frequently has to act on his own and singly. It is the confirmed view of the Commission that the present day constabulary is neither educated nor trained adequately to perform these duties efficiently. The recruitment of the constable is perhaps prompted by the idea that he is meant to bear arms throughout his career and he is "not intended to perform duties requiring the exercise of much judgment and discretion".¹ The Commission, relying on very strong evidence before them, are of the opinion that constables have also to be bigger men, almost as big as their counterparts in England, and should be equipped to act with intelligence and initiative. To say that he should not be trusted to exercise his judgment would be dangerous as practically every day, whether he is on traffic point duty or on patrol, he is called upon to exercise his discretion promptly and without any aid or guidance. When the Commission visited the Constables' Training School, they saw that there was a great deal of bias in favour of arms training, although a constable is hardly in the District Armed Police for longer than 5—10 years in his entire career. He is either performing duties in a police-station or is posted to traffic, a town out-post or a court office, most of his service. The Commission are, therefore, of the view that the requirements of a constable for performing such duties are totally different to those of the constables in the armed police. They are of the opinion that the two wings, namely, the armed and the unarmed of the constabulary should be separated and their recruitment and training should not be on the same basis. Those who are to be posted to unarmed duties should have a higher mental make-up and well trained in those duties while those recruited for the armed wing should be physically tough and well up in drill and weapon training. The Commission, therefore, recommend that the organisation of the District Armed Police should be linked up with that of the Bihar Military Police to be now called the Special Armed Police and reorganised on the pattern of the existing military police units. The posts of Sergeants-Major or Sergeants would thus become redundant and be abolished. This subject has been dealt with in greater detail in Chapter IV relating to Armed Police. The constables meant for unarmed police duties should be recruited separately and trained at the Constables' Training School. The recruitment and training of the constabulary for the District Armed Police should be entrusted to the Bihar Military Police where after a certain period of service, a sepoy should be transferred to the District Armed Police. The present wrangle that goes on regarding posting to District Armed Police (an unpopular posting) and from District Armed Police to the various police posts, in this scheme of separation, will automatically be obviated. This will also help in raising the morale of the force and the efficiency and integrity of the staff dealing with transfers and postings.

The above scheme should ensure that the constables committed to civil or unarmed duties get fully trained and properly equipped for discharging their functions connected with investigation and prevention of crime and for regulating traffic. They are always the most visible signs of administration, whether on a public street, a railway platform, or in a law court. They have always to behave and work with intelligence and initiative. If they are made to bear arms in the earlier years of their service and not made to learn straightforward police duties, their manner is apt to become abrupt and overbearing. On the other hand, if at the beginning of their career, they know exactly what their duties are and know how to perform them, they can well take pride in their work. The educational qualification of a constable meant for regular police duties should therefore be fairly high and at the minimum, he must possess a middle school certificate and preferably should have passed the Secondary Board Examination. This cadre should be so constituted as to attract even those who have passed the Higher Secondary. They must, however, conform to high physical standards as already prescribed. If this kind of constabulary is raised,

1. Rule 89 of the Police Manual.

there is no reason why there should be any distinction made between a Writer-constable and constable. Such a distinction has not helped in maintaining *esprit de corps* in a rank which forms almost the entire bulk of the police force and has only encouraged the creation of a class within a class. There are approximately 28,000 constables to some 2,000 officers and several witnesses, as also the Bihar Police Association, have stressed the desirability of raising the quality of the constabulary to an extent that they might be of assistance in dealing with all the pressing problems confronting the police administration and should be able to act on their own with intelligence and initiative. At present the officer-in-charge of a police-station does not get the assistance that he should from the bulk of his staff. Only when a fully qualified constable on adequate emolument is recruited can he be made an effective policeman. He can then, as it happens in England, perform with efficiency many of the duties that should devolve on him. The constables should no longer be referred to as men as done hitherto and should be classed as officers and should not be equated with contingent menials as mentioned in the Bihar Travelling Allowance Rules, 1957.

This vital rank also suffers from a great deal of frustration not only due to the fact that the pay is much too small to attract the right kind of candidates but also because the prospects of promotion are almost non-existent. On the crime and traffic side there are 15,348 constables to 474 Havildars. Thus one in every 33 constables can ever hope to become a Havildar. Moreover, to secure promotion to the rank of Havildar he has to be a finished rifleman. Such an arrangement does not help in maintaining a cadre of efficient Havildars or constables for performing unarmed police duties and it is indeed a most undesirable feature in the existing frame-work. The creation of the rank of Head-constable for police-stations, traffic and out-posts in place of Havildars should considerably raise the efficiency in work and improve the prospects of promotion of constables, giving them the necessary incentive for good work so sadly lacking at present. No direct recruitment has been recommended in the rank of Head-constable. Every tenth constable can then hope to become a Head-constable. This will secure for the efficient amongst them, at least one rank promotion, so essential for the well being of any force.

[37. Almost every urban police-station, either within the municipal limits or served by a Notified Area Committee, has to have one or more town out-posts in charge of Havildars for the purpose of watch and ward and for miscellaneous law and order duties. There is no yardstick fixed for determining the strength of a town out-post. The present inadequacy, both in the quality and in number, of the town out-post staff has caused considerable concern to the people. The Commission agree that the town out-posts should be so designed as to give a reasonable sense of security to the town dwellers and protect them from the growing menace of the anti-social elements. They recommend that every town out-post should organise patrols, both by night and by day, ordinarily round the clock and the constables should not be saddled normally with miscellaneous work like carrying of dak or lining of routes. Their main task should be to patrol the streets and look after the security of the life and property of the inhabitants residing in their beats. The patrols in urban areas which are fast growing into cities must be organised on modern lines. One-third of the entire police force committed to the task of prevention of crime is to be found in the town out-posts. The present system of patrolling based on fixed posts and beats is not unsatisfactory except that it does not provide for efficient patrols by day. The day patrols are to be performed only by those constables who are on *bachat*, i.e., rest. This is an unsatisfactory arrangement. The work in the town out-post should be, in the opinion of the Commission, in three shifts. Shift No. 1 should be from 22.00 hours to 06.00 hours, shift No. 2 from 06.00 hours to 14.00 hours and shift No. 3 from 14.00 hours to 22.00 hours. For the individual constable this will mean a turn of duty lasting for eight hours. This is, however, a long period to walk in the streets and this is one of the reasons why

a policeman must have a good physique and must get some reasonable breaks. The Commission recommend that during the morning and afternoon shifts, a break for 30—45 minutes should be allowed for refreshment. Turns should also be arranged in such a way that a constable should have one day's rest in a week. It may be that some of the town out-posts do not require intensified patrolling round the clock and for the purpose of staffing, a town out-post should be classified into three categories or grades. The first category should be such where patrols, both by night and by day, are organised in all the three shifts. The second category will consist of town out-posts where a smaller number would be required to patrol in one or the other shift during the day; and the third category would be of those town out-posts where only the evening and the night shifts may be required to be manned. In all the three categories of town out-posts, the night shifts must have the full complement of men and the purpose of grading the town out-posts in the above manner is mainly suggested with a view to preventing wastage of man-power during the day shifts.

The basis on which the strength of a town out-post should be determined, according to the Commission, should be the density of population, topography and the size of the beats to be patrolled, the existence of educational institutions and Government offices and the extent of surveillance required over bad characters and anti-social elements. These items are by no means exhaustive.

There was a general expansion in the police force between 1944 and 1946. No yardstick was adopted for determining the strength of a town out-post but it was generally based on the recommendations of a Police Committee set up in the North-West Frontier Province which thought the strength of a town out-post, if based on population, should be in the ratio of 1 : 600. In Bihar this ratio has yet not been reached in many towns and there are some areas where the strength is in the ratio of 1 : 1,000 and only in a few is the ratio of 1 : 500. This is unsatisfactory. Keeping in view all the duties that are required to be performed in a town out-post, its strength should normally be determined in accordance with a yardstick of one constable for 500 of the population. The Commission are of the confirmed view that such a yardstick will be rational and will also greatly help in adequately staffing this vital post designed for the safety of the town dwellers. There should be a Head-constable for every ten constables and where there are two or more Head-constables, the senior Head-constable should hold charge of the town out-post. The strength however, should be finally determined after each beat is properly delineated by a departmental committee. While delineating the beat, the Commission are strongly of the view that its size should not be such that a constable cannot patrol it, either by night or by day, at least twice, in two hours. The present strength of the town out-posts in the State is no doubt inadequate and needs immediate augmentation.

Several witnesses have advocated mechanisation at this level but the Commission, agreeing with the views expressed by many officers, are of the opinion that the foot constables in the beat can never be replaced. His equipment, however, should improve and he should be provided with an electric torch, a truncheon, a regulation lathi and a whistle.

All the Head-constables posted to town out-posts should be provided with Government bicycles; alternatively, they may be given a cycle maintenance allowance and an advance for its purchase. Cycle patrols should be superimposed over foot patrols. This will considerably help the Head-constables in supervising the work of the patrolling personnel more efficiently and they should then cover larger areas more effectively.

In the bigger cities, with population of over 75,000, the Commission recommend the introduction of the radio-patrol system. These radio-patrol cars should be equipped with wireless telephony and should be based on an Information Room. This system has worked well in some of the bigger cities like Calcutta and Bombay, both for watch and

ward and for the maintenance of public order. In order that an Information Room functions round the clock there should be three Assistant Inspectors and three Head-constables under an Inspector in the junior scale attached to it. They should maintain the necessary log books and be constantly in touch with the police-stations and the radio-patrol cars so that prompt action is taken at every level whenever there is information regarding the commission of a crime or a breach of the peace. Three Assistant Inspectors should also be sanctioned for each radio-patrol car.

The Commission hope that if the town out-posts are reorganised in the manner suggested by them, the police should be able not only to perform the routine duties of watch and ward efficiently but should be able to cover effectively the activities of bad characters within their respective beats. Patrolling round the clock will further give the much needed confidence to the people in the police. The constable on the beat has to be recognised by all as the desideratum of any organised city life. He is, as has been already said, the most visible sign of administration in any city or town. To a foreigner, he acts almost as an ambassador of his State. His is a noble and at the same time a difficult task and he is truly the backbone of the police administration in urban areas. He has to keep a most careful eye on the thieves and prowlers or those who earn their living by picking other people's pocket or through gambling. He should not hesitate to assist the traffic police in regulating traffic and last, though not the least, he should prevent anti-social elements from behaving in an unseemly manner on public thoroughfares and near educational institutions.

38. The set up that would emerge at various levels, other than the cities of Patna and Jamshedpur, when these recommendations are implemented, would be that the charge of every town police-station of a district should be held by an Inspector on the senior scale. He should be assisted for investigation and law and order duties by one or more Assistant Inspectors in accordance with the workload and the incidence of crime. There should be two or more Head-constables according to the pressure of work connected with clerical duties and for helping the officer-in-charge in the management of the constabulary. The strength of the latter should be 10. For the purposes of watch and ward and law and order duties generally there should be a Head-constable in charge of every town out-post. The work of the Head-constables should be supervised by an Assistant Inspector specially posted for this purpose to every town police-station. The investigation of heinous and more important cases will be undertaken by fully trained investigating officers posted to the police-station. They will work under the guidance and control of the officer-in-charge who will himself take a hand in the work of investigation.

In the rural areas, most of the police-stations will be held by Inspectors on the junior scale and when workload justifies it, an Assistant Inspector will be posted. Every such police-station will have at least two Head-constables for Sherista and man-management. The strength of the constables at the average police-station has to be raised from 8 to 10.

39. Briefly the scheme of absorption when the proposed reorganisation is accepted should work in the following manner :—

The Commission have recommended that the strength of the cadre of Deputy Superintendents be reduced almost by half. Till such time as this is not achieved by the retirement or promotion of Deputy Superintendents, they should continue to fill the more important duty posts in the Criminal Investigation Department, the Special Branch and selected police circles. To avoid recruitment of a large number of Deputy Superintendents of the same age group at one time, the recruitment based on the annual intake and keeping in view the reduced cadre should continue.

With the creation of the cadre of Chief Inspectors, all those Inspectors who are already in the select list for promotion to the rank of Deputy Superintendents but have not been so promoted for want of vacancies will be promoted as Chief Inspectors. Certain selected Inspectors who were directly recruited and whose seniority and record justify it and those Inspectors who have been holding substantive posts in that rank may also be considered for advancement to the rank of Chief Inspector. As only 25 per cent in the cadre of Chief Inspectors is to be recruited directly, an effort should be made that the other 75 per cent be found by promoting suitable serving Inspectors with creditable record of efficiency and integrity. The Commission feel that the required number of Chief Inspectors may still not be found and the scheme of appointment of Chief Inspectors either directly or through promotion may have to be staggered. In the first instance, the districts that report high incidence of crime will be included in the reorganisation scheme so that the number recruited from the open market to prevent age blocks should not exceed 15 per year. Both the recruitment from the open market and through promotion of Inspectors will be achieved on the advice of the State Public Service Commission. The Commission hope that a large number of Inspectors will be absorbed in the manner suggested above but in case any Inspector is not selected for promotion, he should be absorbed in the cadre of senior scale Inspectors and promoted to the rank of Chief Inspector as and when found suitable.

With the abolition of this rank as such, all the serving Sub-Inspectors will be considered for promotion directly to the rank of Inspector on the senior scale only in exceptional cases, but normally to the rank of Inspector on the junior scale. Only those who are of sufficient seniority and have already been selected for promotion to the rank of Inspector should be promoted to the senior scale. The records of all the other Sub-Inspectors should be considered for being promoted as Inspectors on the junior scale. Those who are not considered suitable in any respect for such an advancement, should be allowed to opt for the posts of Assistant Inspectors or continue as Sub-Inspectors in those districts where the reorganisation scheme is not to be introduced for the present and either get promoted to Inspector in due course or retire from their existing rank.

All the Assistant Sub-Inspectors who have creditable record of service should be eligible for promotion to the rank of Assistant Inspector. Those who are not fit should be posted to the districts where the new scheme will not be introduced just yet and allowed to improve their records so that they may get absorbed as Assistant Inspectors in due course or waste out.

All Writer Constables who are sufficiently senior and are considered particularly suitable for promotion to the rank of Assistant Sub-Inspector should be eligible for absorption in that rank but by and large, these constables should fill the vacancies in the newly created post of Head-constable. Since they were appointed with the expectation that they might rise ultimately to the rank of Sub-Inspector, it is recommended that till such time as they are not absorbed as Assistant Inspectors or declared totally unfit for this advancement, the requisite number of posts in the cadre of Assistant Inspectors should be reserved for them.

In view of the creation of certain new ranks and the abolition of some others, the Commission attach considerable importance to the scheme of absorption and recommend that in order to give the largest measure of satisfaction, the Police Service Commission which has been recommended to be set up should undertake this work as soon as possible and the procedure for selection as outlined in Chapter XX should be adopted.

The implementation of the recommendations of the Commission is likely to result in substantial increase in the strength of constables for unarmed duties and almost no increase in the strength of the District Armed Police in spite of the increase in the number of police districts. The slight increase that may be noticed is in the middle supervisory ranks as it is essential that an armed police unit must provide effective leadership at all levels. The Bihar Military Police which has recently been reorganised will continue in its present strength and the strength of the Anchal Force which is really committed to duty in the Revenue Department has not been disturbed. The surplus strength of the District Armed Police and all constables above the age of 40 be transferred from the District Armed Police and the Anchal Force to the unarmed police cadre. As these constables are not likely to make up the full requirement of the reorganised unarmed constabulary, a phased programme of recruitment and training will have to be drawn up so that the constables of the unarmed branch are up to the strength within three years. Even the rate of intake may be increased as qualified youngmen are likely to be available in adequate number.

On the transfer of the constables who have crossed the age of 40, there will be some deficiency in the strength of the District Armed Police and the Anchal Force. This deficiency should be made up by drafting such volunteers from amongst the sepoys who have put in at least 10 years of service in the military police. If they do not make up the entire deficit, young and suitable constables of the unarmed branch should be selected and transferred to the District Armed Police. These constables as also others who will be retained in the District Armed Police and the Anchal Force should be given the option of returning to the unarmed branch when they attain the age of 40. In order to effect this gradual change over, a phased programme of recruitment with a higher annual intake for the entire armed police consisting of the District Armed Police, the Anchal Force and the Bihar Military Police units will have to be prepared. The calculation of the annual intake should include the number of constables likely to be transferred from the District Armed Police and the Anchal Force to unarmed duties on their attaining the age of 40.

The Commission have every hope that the proposed scheme as also the assurance to the serving personnel that their prospects are likely to improve considerably should herald a new era for the administration and ensure that the State has an efficient, honest and adequate police force committed always to the service of the people.

CHAPTER IV ARMED POLICE

40. The armed branch of the Bihar Police consisting of the Military Police, the Mounted Military Police and the District Armed Police has a history of steady evolution. When the thanadari police was organised in 1793, no armed police reserves were provided but all the constables were armed. Because of their inadequacy, the aid of the army was frequently and liberally secured for maintaining peace or even fighting serious outbreaks of crime. Near about 1842, a police battalion organised on the pattern of the infantry of the army was raised with a view to relieving the regular troops from the charge of treasuries and jails. During the Mutiny of 1857, police battalions with 6,600 privates were raised in Bengal. While appointing the Indian Police Commission of 1860, the Government made it clear in their memorandum that a good police force should be subject to the civil executive Government and its duties should be entirely civil. Its organisation and discipline were, however, to be similar to those of the military. The Police Commission unanimously accepted the principle that the dependence of the police on the army for performance of police duties must cease and the army should confine itself to military duties and should be completely separated from the civil constabulary. The Commission further recommended that this civilian protective force should be constituted and entrusted with the prevention of crime, suppression of local affrays, maintenance of public order and prevention of aggression on the borders, but not of armed invasion. This force should also be used for guarding and watching jails, treasuries and stores and performing escort duties connected with them. The force should be so distributed that the men were kept together in sufficiently large parties for meeting any emergency. The Commission also felt that mounted bodies were exceedingly expensive and should, therefore, be employed only when absolutely necessary. In spite of the Indian Police Commission of 1860 expressing themselves against the necessity of military police battalions, their retention was keenly felt for tackling civil disturbances. In Bihar, one company each of the Military Police was located at Bhagalpur and Dumka. These two companies were in addition to the armed police reserves maintained at the headquarters of every district. These reserves were armed with breech-loading smooth bore carbines. In 1892, the Bengal Military Police Act was passed in order to make these units subject to almost the same discipline and drill as prescribed for the army. The Cotton's Committee of 1892 recommended an armed reserve of 20 to 25 men in most of the districts and of 50 men in certain selected districts. This laid the nucleus of the striking force of the District Armed Police entertained at present. It also recommended location of Central Special Reserves of 50 men each at 11 strategic centres.

The Indian Police Commission of 1902-03 found that the principles laid down and accepted in 1860 had been allowed to fall into desuetude in Bengal. The reserves were, for the most part, inadequate in number, imperfectly drilled and disciplined and were armed with inferior weapons. They did not appreciate the advisability of maintaining the Military Police units at Dumka and Bhagalpur as they were seldom employed and their existence led to attention being given exclusively to the discipline and efficiency of a very small part of the force. The Commission wanted the two forces, namely, the District Armed Police reserves and the Military Police units to be amalgamated. They deprecated any rigid division of the force into armed and unarmed police and suggested that all the members of the force should be taught the use of arms and instructed in drilling. The Commission repeated that the Mounted Military Police should not be employed unless the necessity for the force was clearly established.

When Bihar separated from Bengal in 1912, there were still two companies of the Military Police located at Bhagalpur and Ranchi respectively and a sizeable armed reserve

in every district. The two Military Police units continued to be deployed during major festivals, serious industrial riots and for dealing with any extensive law and order trouble. Following the notorious Shahabad Bakr-Id riots of 1917, a squadron of the Mounted Military Police was raised at Arrah in 1919. This is a unit of mounted armed men organised on the pattern of a cavalry regiment.

The pattern of the armed wing of the police, consisting of the Bihar Military Police and District Armed Police, has continued till today with periodical fluctuations in their respective strength. During the period of World War II (1939—45), temporary armed police forces were raised, mainly for internal security, for preventing sabotage on the railways, for the effective enforcement of the Defence of India Rules and for looking after war camps.

The permanent strength of the Bihar Military Police in 1942 did not exceed 487 and that of the District Armed Police of an average district was limited to 50. Temporary forces created during the war were disbanded, as and when they outlived their necessity. One such force of 13 companies formed the Railway Protection Police which was raised in 1942 and disbanded in 1955.

It was not until 1943, when the then Director of the Intelligence Bureau, Government of India, was deputed to examine the causes of the alleged failure of the police in dealing with the law and order situation arising out of the Quit-India Movement, that the armed police reserves, both in the Bihar Military Police and the District Armed Police, were considerably augmented. The strength of the Bihar Military Police was raised from 339 to 1,500 and that of the District Armed Police from 1,859 to 4,940, providing each district with a striking force of 100 or 150 constables, depending on its size and requirements. Sixty more horses and men were added to the Mounted Military Police, bringing the strength to that of a cavalry regiment.

On the transfer of power, the strength of the Bihar Military Police was again considerably enlarged and the force reorganised into seven battalions, each located at Patna, Ranchi, Dehri (Shahabad), Dhanbad, Jamalpur (Monghyr), Muzaffarpur and Katihar (Purnea), making a total of 7,349. It was prescribed that the military police were to be deployed for (i) anti-smuggling duties, (ii) combating crime and maintaining internal security, (iii) performing duties during festivals, (iv) guarding of V. I. Ps., (v) providing static guards on vital installations, the Secretariat and the Government House, and (vi) generally for duties during the general elections. Some of these duties have not been contemplated in the Bihar Military Police Act and Rules. The reorganisation helped in enhancing the standard of drill and discipline of the Bihar Military Police and it has been reported to the Commission that when its units were sent on deputation to Calcutta, Telengana, Kashmir, Assam and Manipur, they were given unqualified praise.

The inadequacy of the police engaged in investigation and prevention of crime was more keenly felt when the incidence of organised and violent crime rose steeply, following the World War II and the communal carnage of 1946-47. Keeping the question of cost in view, it was recommended by the Inspector-General of Police, Bihar, in 1954 to retrench two of the seven battalions and to divert the savings for reinforcement of the police engaged in crime work. This was, however, not fully accepted and it was not until 1958 that the Inspector-General with the approval of Government further reduced the strength of the Bihar Military Police by 16 companies drawn from four of the remaining five battalions in order to find the necessary funds, without burdening the Exchequer, for creating what has been called the Anti-Dacoity Wing in the Criminal Investigation Department for dealing with dacoities and for augmenting generally the District Executive Force, both armed and unarmed. The Bihar Military Police now consists of five battalions, one of which, namely, the Gurkha battalion at Ranchi maintains the same strength as previously, but the other four battalions have been reorganised. The present strength of the military police, so reorganised in 1958 is 2,975 permanent and 600 temporary—all ranks.

The strength of the District Armed Police has been increased temporarily by 3,568 with the avowed purpose of guarding and escorting treasuries of the Anchals which came to be established as units of revenue administration on the abolition of Zamindari. This Anchal Force is hardly utilised for any straightforward police duties.

41. Many witnesses have advocated before the Commission that in view of the rising tempo of lawlessness, there is no room for further reduction in the strength of either the Bihar Military Police or the District Armed Police and the temporary battalion at Muzaffarpur should be made permanent. This was examined in great detail and the Commission obtained from some of the bigger districts certain statistics to indicate the incidence of deputations from either the Bihar Military Police or the District Armed Police to maintain public order which should really be the primary function of a highly organised and well disciplined striking force. The examination of these statistics reveals that the armed police and the military police, when deputed in the districts, have been mainly used for anti-crime patrols, primarily because the strength of the police engaged in investigation and control of crime generally is inadequate. It is the anxiety of the Commission to augment the district police establishments at various levels in a manner that would make the force efficient in the discharge of its main task of detection of crime. For prevention work through patrols, increasing dependence on the Village Panchayat is advocated. The Commission, therefore, are of the view that the reduction made in the strength of the Bihar Military Police battalions to augment the strength of the Criminal Investigation Department and the District Executive Force, is wise in many ways. For one thing, the much needed reinforcement of the Criminal Investigation Department and the District Executive Force has been achieved without any extra cost and, another, that it has prevented frequent deputations of military police detachments for anti-crime work.

The Commission have also noted that Bihar Military Police units are extensively deployed during the major festivals like the Dashara and the Bakr-Id. They are clearly of the view that such deputations, in small detachments, undermining the drill and discipline of the force and at the same time endanger its authority and exclusiveness, which it should maintain, if it is to act as a striking force, which may even be called upon to take the first shock of any border trouble. The Commission, therefore, desire that the use of the military police should be restricted, primarily, to dealing with public disorders during grave emergencies. Unless the situation really warrants it, the Bihar Military Police detachments should not be detailed for anti-crime patrols or for routine deputations to police-stations during any major festival. Some senior administrators and police officers have also deprecated the frequent and haphazard use of the armed police, as well as large-scale deputations during the major festivals. They strongly advise that such deputations should be curtailed. Once a deputation is made to any area, there is an anxiety on the part of the local officers to continue such deputation year after year, even though there might not be any real necessity for it. Moreover the district officers should not learn to lean so heavily on the armed police for duties connected with control of crime or for keeping public order in normal times. One Superintendent of Police has claimed before the Commission that he successfully tried in reducing the deputations of the armed police to the minimum during these major festivals and no untoward incident was reported. As it happens, every Anchal or Block has an Anchal Force which can be pressed into action either in an emergency or during a communal festival and normally no police-station should require any reinforcement during such festivals. Moreover, it is the earnest hope of the Commission that the responsibility of maintaining peace in the rural areas should be progressively shared by the Gram Panchayats. It is only where there is an apprehension of a major trouble, should the detachments of the Bihar Military Police be detailed and that also when the strength of the District Armed Police including the Anchal Force and the Home Guards is not adequate to meet any emergency or provide for large-scale deputations. The Superintendents should be permitted to draw on the Home Guards organisation for augmenting their force for any large-scale deputation during

major festivals or a prolonged industrial strike. The Commission are of the view that if these steps are taken, it should not be necessary to deploy the Bihar Military Police as extensively as it is done now and the expense incurred on maintaining a large standing force and its travelling may well be diverted to meet the very reasonable demand for augmenting the staff required for detection and prevention of crime. With the reorganisation of the Bihar Military Police this has already been partially achieved.

42. While recommending the reorganisation of the Bihar Military Police in 1958, the Inspector-General proposed that the pattern of a battalion Strength of the Military Police. outlined by a Committee of Inspector-General, which met in 1950, soon after the Telengana trouble, should be accepted as the pattern for the Bihar Police battalions as well. The essence of this scheme is to increase the strength of the middle ranks in order to provide well trained and highly disciplined leadership, which is so essential for an armed force. The Commission are in agreement with the views of this Committee and recommend that except the Gurkha battalion, the existing four battalions of the Bihar Military Police should be reorganised accordingly and the battalion at Muzaffarpur which is still being entertained on a temporary basis should be made permanent with immediate effect. The strength and composition of the Gurkha battalion should remain as it is. The total strength of the foot units of the Bihar Military Police would thus be appreciably reduced from approximately 7,280 in 1948 and from 5,683 in 1958 to some 3,800. The saving which has accrued from this heavy retrenchment has been legitimately used for increasing the strength of the unarmed branch.

43. The Commission are also of the view that the strength of the Mounted Military Police is capable of reduction and it should be restored to the Strength of the Mounted Military Police. original strength of a squadron consisting of five troops, one troop each to be located at Patna, Ranchi, Muzaffarpur, Bhagalpur and a headquarters troop either at Arrah or Patna. The Commission are not in favour of the location of a troop at Jamshedpur and this troop could well be withdrawn. It has been brought to their notice that this troop has seldom gone into action in this steel city and the horses cannot effectively be used in such a built up area. Arrah is the headquarters of the Bihar Mounted Military Police but the Commission feel that Arrah is not a suitable headquarters and the Superintendent of Police of Shahabad who is the *ex-officio* Commandant of this unit has little time to devote to it. The Commandant of this unit should be the Commandant of a foot battalion and Patna seems to be a more appropriate headquarters for this squadron. If the headquarters is shifted from Arrah, Patna will have two troops, each consisting of about 30 horses and men. The saving that will result from this retrenchment could be diverted for other purposes.

44. The Commission agree with the views expressed by the conference of the Inspectors-General that the designations and titles of various units Standardisation of designation. in the police should be standardised throughout the country as far as possible. Except for one State, no other State calls these special armed police reserves as units of military police. Bihar should also give up this appellation and the Bihar Military Police should be called the "Special Armed Police, Bihar" and the Mounted Military Police redesignated "Mounted Armed Police, Bihar". If necessary, the Military Police Act may be suitably amended.

45. It was urged before the Commission by some witnesses that the age of superannuation of the sepoys and the Non-Commissioned Officers of these units be raised from 45 to 50 and that of the Junior Commissioned Officers from 50 to 55. This was also the recommendation of the Inspector-General while suggesting the reorganisation of the military police. After carefully considering this matter, the Commission are of the view that it would be undesirable to raise the age of superannuation of such a highly specialised

armed force, as ordinarily the arm bearing age should not be beyond 45. But if a sepoy is physically fit, he may serve up to the age of 50. The Junior Commissioned Officers should retire at the age of 50 but can serve up to the age of 55 if found fit in all respects.

46. The District Armed Police which is a part of the District Executive Force under the Superintendents of Police provides the necessary District Armed Police. personnel for guarding treasuries and magazines, for escorting dangerous prisoners and treasures and for providing a striking force at the disposal of the district authorities for the maintenance of public order. In many ways, the duties of the District Armed Police and those of the Bihar Military Police are identical. When raising the military police, however, it was the intention that it should be a highly trained and disciplined force for dealing with grave emergencies and the District Armed Police was to go into action in smaller detachments and sometimes for anti-crime patrols and other routine deputations. As the situation gets more stabilised, the Commission consider that deputations of even the District Armed Police detachments should be gradually reduced and there should be more and more of dependence on the unarmed police for maintaining public order in normal times and for crime work generally. They are, therefore, of the view that the total strength of the District Armed Police could also be reduced to an extent that every district—some of the bigger districts have been recommended to be split—should not have more than 100 officers and men in the striking force and the three railway districts and the two cities of Patna and Jamshedpur should not have more than 50 officers and men each. If deputations made in recent times are any guide, it would appear that the District Armed Police have also been extensively used for anti-crime patrols and not for law and order duties and if these are reduced to the minimum, as recommended by the Commission, there is no reason to maintain a large striking force. There may, however, be a good case for increasing the strength of guards and escorts considering the increase in the number of treasuries and also, in the number of prisoners to be escorted, to and fro. Where large-scale but routine deputations are required, Home Guards and the Anchal Force should be utilised for reinforcement. No change is recommended in the strength and composition of the Anchal Force as it has to be deployed in sections under a Havildar. The strength of the middle ranks of the District Armed Police which is inadequate at present should generally follow the pattern recommended for the Special Armed Police except that there should be only one Havildar for each platoon and one Subedar for each district, irrespective of the strength. The latter should be designated as Subedar-Major and be given the allowance an officer of this rank is entitled to.

47. The standard of drill and discipline of an armed force has to be maintained at a very high level, if it is to be effective. At present, the Separation of armed and unarmed police cadres. District Armed Police consists of constables who are recruited both for armed and unarmed duties. They are recruited mainly with a view that they should be capable of bearing arms. Their initial training is also designed accordingly. After the completion of training, they are posted to the District Armed Police and then sent to unarmed posts like police-stations and town out-posts although the Indian Police Commission of 1902-03 had recommended that they should be posted to the armed police after a period of service in a police-station. Many witnesses have urged that neither is a satisfactory arrangement. Constables after service of five years or more in the armed police do not make efficient policemen committed to duties connected with control of crime and regulation of traffic. Similarly, constables after protracted posting to police-stations and town out-posts, forget their drill and discipline when they revert to the District Armed Police. Moreover, in the view of the Commission, the requirements of a constable for duties in the police-station or for traffic are widely different from those who have to bear arms. The Commission have, therefore, recommended earlier that the recruitment and training of the constables meant for the District Armed Police should be entirely separated from the recruitment and training of constables required for duties connected with traffic and crime control.

It is obvious that a man recruited and trained for bearing arms, when committed to such duties, develops, in the first five years of his service, an outlook which is not quite conducive to working in a police-station or a town out-post. Moreover, he gets completely out of touch with duties which require some knowledge of law and procedure as also the necessary acumen and tact for controlling crime and regulating traffic. The Commission, therefore, are of the considered view that the constables meant for the armed police should be recruited in the Bihar Military Police, to be hereafter called Special Armed Police, and, after service for 10—12 years, he should be transferred to the District Armed Police. Having been recruited on the condition that he would bear arms for the rest of his service, as is done in the army, he will not expect to be posted to police-stations, town out-posts, courts or traffic. At present, the posting to the District Armed Police is wholly unpopular and constables prefer unarmed duties. The existing scheme has several undesirable features and should be terminated without much delay and the scheme of recruitment and training be changed and brought in line with that of the Bihar Military Police, where sepoy are to bear arms throughout their service.

48. The training of all constables meant for either the Special Armed Police or the District Armed Police should be undertaken at a training centre which could be located at the headquarters of either the battalion at Dehri or at Patna. Both these headquarters have the necessary accommodation. The recruitment should also be undertaken by the training centre and the qualifications, both physical and educational, as laid down for military police sepoy, should apply to candidates for both the Special Armed Police and the District Armed Police. The Commission are also of the view that there should be no relaxation with regard to the physical standards and no constable who is below 5'-8" in height should ever be recruited to the armed police. Exceptions should, however, be made, as already prescribed, in the case of Adibasis and Gurkhas. The recruitment should continue to be regulated by the provisions of the Bengal Military Police Act and the Indian Police Act (V of 1861) so that, when a sepoy from the Special Armed Police is transferred to the District Armed Police, he has the necessary authority to function under the Indian Police Act (V of 1861). As the pattern and scale of officering in the District Armed Police should be the same as adopted for the Bihar Military Police or the Special Armed Police, the Junior Commissioned Officers and Non-Commissioned Officers will also be liable to be transferred from one establishment to another. This scheme will thus provide a regular flow of the necessary personnel, highly trained and disciplined, from the Special Armed Police to the District Armed Police. When posted to the District Armed Police, the personnel will be subjected to the same drill and discipline as the Special Armed Police are subjected to at present but they will become part of the District Executive Force directly under the Superintendent of Police. It has been urged before the Commission that because of defective training and poor discipline, both the Bihar Military Police and the District Armed Police have, on many occasions, exhibited some lack of balance and have opened fire unnecessarily. They are not physically tough to bear the strain of arduous deputations and the resultant fatigue. While no evidence has been laid before the Commission to show that these units have shown lack of discipline, the Commission are in agreement with the view that all those who have to perform armed duties must be physically strong for which a well designed toughening up course should be immediately introduced. This kind of training is not possible when the constables are frequently to be transferred from armed duties to unarmed posts.

The new idea suggested by the Commission with regard to recruitment and training will render the unarmed force committed to investigation and prevention of crime and regulation of traffic so efficient as to change the entire outlook of both the people and the police. The armed police, on the other hand, will be trained and equipped in a manner to render it an efficient and dependable striking force.

CHAPTER V

CRIMINAL INVESTIGATION DEPARTMENT

49. For control of crime, the police have necessarily to depend on some agency for the collection and dissemination of intelligence about crime and criminals. In the thirties of the last century, a separate department was set up to combat the menace of thugs and later, the task of controlling dacoity was also assigned to it. It succeeded beyond measure in eliminating the menace of thuggi and curbing the activities of dacoits by inducing convicts and ex-convicts to give information about organised gangs, but the Indian Police Commission of 1860 did not favour the continuance of a separate detective organisation. Attempts to organise a proper Detective Department did not succeed till the beginning of the present century when the Indian Police Commission, 1902-03 were "much struck with the ignorance of most Superintendents of what is going on outside their own districts and with want of co-operation between police officers of different districts".¹ The Commission were of the view that a Criminal Investigation Department should be established in each Province under its own Deputy Inspector-General without interfering "with the responsibility of local officers for prevention, investigation and detection of crime".² Its functions were to collate and distribute information regarding certain organised crimes and professional criminals. Its duties were to assist the local officials in their investigation of certain kinds of cases; but, in no case, to supersede them. The Commission also recommended that this department should be in direct administrative charge of the Government Railway Police and should control the Provincial Finger Print Bureau, and have a general control on the "Special Branch" dealing with political crime, intelligence and security.

50. When the Provincial Criminal Investigation Department was first set up, its activities were limited to collating, digesting and distributing information about crime and criminals and to deputing detectives to assist the local police in intricate cases or itself dealing with crimes having wide ramifications. Gradually, the scope of the Criminal Investigation Department expanded and within this department were organised certain technical sections with facilities for the application of scientific aids to investigation. The administrative charge of the Government Railway Police was transferred from the Deputy Inspector-General of Police, Criminal Investigation Department to the Range Deputy Inspectors-General of Police in 1921. In 1947, the Crime Branch was expanded and reorganised; a small staff was deputed to every district to assist the Superintendent of Police and an Inspector of Police was similarly posted to the headquarters of every range to assist the Range Deputy Inspector-General. In 1954, the staff was withdrawn from the districts and separate squads for investigation of different classes of crime were reorganised at the headquarters of the Criminal Investigation Department. In 1955, a crime bureau was sanctioned for each district on a temporary basis by re-distributing the sanctioned strength to facilitate collection, collation, classification and preparation of information at the district level. In order to combat the deteriorating dacoity situation, an Anti-Dacoity Wing under a Superintendent of Police with a separate Deputy Inspector-General was created in 1958 and in the same year a research and statistical bureau was added to the Crime Branch. Another squad has recently been set up for dealing with the problem arising from juvenile delinquency and immoral traffic in women and children.

51 Evidence before the Commission is overwhelming in support of a well organised Criminal Investigation Department taking a greater hand in dealing with organised crimes, particularly of the more violent variety like armed dacoities and murders for gain. A large number of witnesses are also of the view that the scope of the Criminal

1. Paragraph 166 of the Report.

2. *Ibid.*

Investigation Department should be so expanded as to include not only organised crimes but also important cases of bribery and corruption. It is also their view that this department should be so organised and equipped that it can fully intensify its activities by a more active participation in the prevention and detection of crime. The majority of the witnesses have, however, cautioned at expansion of the scope of the Criminal Investigation Department and intensification of its activities should not result in any weakening of the responsibility of the district police for prevention and detection of crime. That their responsibility in this regard must be maintained is fully supported by the Commission. The existing rule of the Police Manual which deals with the functions of the department reads as follows :—

“410. *Functions of the department.*—The functions of the department include the following :—

- I. The collection and distribution of information relating to—
 - (a) the classes of crime and cases detailed below which are ordinarily the work of professional criminals, viz. :—
 - (i) dacoity;
 - (ii) highway, railway or mail robbery;
 - (iii) counterfeiting coin or stamps, forging notes, uttering or being in possession of counterfeit coin or stamps or forged notes, discoveries of counterfeit coin or stamps or forged notes;
 - (iv) drugging or poisoning by professional poisoners;
 - (v) murder for gain;
 - (vi) swindling by professional swindlers;
 - (vii) cases under sections 400 and 401, Indian Penal Code and proceedings under sections 109 and 110, Criminal Procedure Code against members of criminal gangs;
 - (b) professional criminals and criminal tribes whose operations extend beyond the limits of a single district.
- II. To control, advise or assist, as circumstances require, in enquiries or investigations into crime of the classes described in I above.
- III. To control, advise or assist in enquiries or investigations into other serious crime in which such control, advice or assistance is invoked by the local authorities with the approval of the Inspector-General or ordered by the Inspector-General or Government.
- IV. To make enquiries concerning counterfeiting of coin or stamps, note forgeries, telegraphic or railway receipts, postal frauds, the movements of foreign criminals and the like, in which the assistance of the department may be similarly invoked or directed.
- V. Prosecution arising out of the institution of false civil suits.”

The Commission are of the view that the scope of the above rule should be slightly enlarged and the classes of crime described in clause I should include crimes relating to traffic in women and children, juvenile delinquency, serious cases of criminal misappropriation and criminal breach of trust in which public servants and local bodies are involved, and smuggling of certain excisable articles, and that clause V should be omitted. The

other functions as outlined in the rule quoted above need not be changed. The Criminal Investigation Department should maintain elaborate records of various crimes, have a complete machinery for quick communication of information, employ qualified and trained officers for enquiries and investigation, and maintain a variety of services of scientific and technical nature.

52. At present, the Deputy Inspector-General, Criminal Investigation Department holds charge of the Special Branch and the Crime Branch and another Deputy Inspector-General is in charge of the Anti-Dacoity Wing. Witnesses appear to be sharply divided regarding the advisability of creating the post of an Additional Inspector-General in order to achieve a more effective co-operation between the Range Deputy Inspectors-General and the Criminal Investigation Department. After carefully considering the conflicting views, the Commission are of the opinion that it is not necessary to post an officer of the rank of Inspector-General, but the need for a separate Deputy Inspector-General for the Crime Branch is obvious. Some other States have already taken this step and in this State also, the achievements of the Anti-Dacoity Wing under a Deputy Inspector-General confirm the view of the Commission that a well organised Criminal Investigation Department under a separate Deputy Inspector-General and without the Special Branch will greatly help in dealing effectively with organised crimes like dacoities, professional murders, swindling and defalcations by public servants. There is no doubt that the work of the present Deputy Inspector-General of the Criminal Investigation Department has considerably increased in the Special Branch and it is difficult for him to devote sufficient time to the increasing problems of crime. The Commission, therefore, recommend that the Deputy Inspector-General in charge of the Anti-Dacoity Wing should be designated as the Deputy Inspector-General, Crime and Railways, and made in charge of the reorganised Criminal Investigation Department constituted of the present Crime Branch and the Anti-Dacoity Wing. In order to secure better liaison between the railway and the regular police and to secure a more co-ordinated control over the Government Railway Police and its duties connected with crime which has jurisdictions extending to more than one range, the Commission have already recommended that the administrative charge of railway districts vest in the Deputy Inspector-General, Crime, and not in the Range Deputy Inspectors-General, as at present. The present Deputy Inspector-General, Criminal Investigation Department, will have exclusive charge of the Special Branch and also be responsible for dealing with the problem of corruption in the police in a planned and effective manner; he should be designated as Deputy Inspector-General, State Intelligence Department.

The Deputy Inspector-General, Crime and Railways, should be assisted by two Superintendents of Police and two Assistant or Deputy Superintendents.

53. The Criminal Intelligence Bureau is the pivot of the Criminal Investigation Department. Information about crime and criminals are collected and recorded in this Bureau. It is expected to render assistance in cases in which special reports are received in the Criminal Investigation Department and in such other cases in which the Superintendents of Police make calls on the Bureau. The Range Deputy Inspectors-General are required during their inspections to examine carefully and report whether these rules are strictly followed. The Commission are of the view that this important branch should be placed under an experienced Chief Inspector. The Criminal Intelligence Bureau and all the District Crime Bureaux should be so effectively co-ordinated that there is no unnecessary cluttering of records. The essential features of the scheme of record-keeping in the District Crime Bureau should follow the pattern of the Criminal Intelligence Bureau and the latter should continue to be responsible for ensuring co-ordination and uniformity in the system of record-keeping and dissemination of information.

The machinery of inter-communication of information either within a district or between the districts and the Criminal Investigation Department should be so perfect and mechanical that no information should escape notice. The Commission regret that at present there is no systematic procedure to ensure that important information is always promptly circulated to the right quarters. The *Criminal Intelligence Gazette* is invariably circulated with great delay and quite often all relevant materials are not inserted. This is extremely unsatisfactory and both the department and the Government Press should ensure that this important Gazette is circulated in due time. Such a Gazette is printed and circulated twice in one day in England. The section entrusted with the preparation of the *Criminal Intelligence Gazette*, should form part of the Bureau so that the guidance of the officer-in-charge of the Bureau is available in its preparation. Similarly, the Arms and Note Forgery sections engaged in collecting and recording information about unidentified firearms and the series of forged notes found in circulation respectively should form part of this Bureau.

Even if a chain of sound record system is built up in a District Crime Bureau and the Criminal Intelligence Bureau, the Commission feel that the value of the system will greatly depend upon the extent to which every police officer understands the nature of the system and its utility and acquires the habit of referring to the Bureau whenever there is a possibility of the valuable records proving of service. The Commission are of the view that this habit has not been fully developed and, therefore, sufficient use of the Criminal Intelligence Bureau or the District Crime Bureau has not been made. The habit can be acquired but it is also a matter of training and the Commission desire that every police recruit should be fully instructed in the utility of a crime bureau and its scope while undergoing his initial training.

54. The investigating officers of the Criminal Investigation Department are dispersed into squads for the purpose of investigation and enquiries. These officers, in the view of the Commission, should continue to be divided into squads and each squad, dealing with a major form of crime or a group of similar crimes should be placed in charge of a Chief Inspector. This officer should exercise close supervision on the work of his squad and occasionally undertake important enquiries and investigations. The effectiveness and efficiency of a squad will largely depend on the ability, initiative and resourcefulness of its Chief Inspector. Apart from investigating complicated cases and watching their prosecutions in Law Courts, the officers of the squads should be employed for assisting the district police in preparing reports for proceedings under the preventive sections of the law, particularly section 110 of the Code of Criminal Procedure, and collecting materials for starting gang cases against formidable dacoits and their associates.

The present strength of these officers is considered by many witnesses to be inadequate on account of the large volume of cases that are being entrusted these days to the Criminal Investigation Department for investigation. On an average, an officer has to investigate about ten cases and to conduct six miscellaneous enquiries in a year and also whenever the Criminal Investigation Department assumes control of the investigation of a case, it continues to be responsible for the case till its final judicial disposal. The Commission have no data to fix the yardstick which should determine the strength of these squads. It is, however, the view of the Commission that the investigating squads should confine themselves to the investigation of complicated cases and enquiries into serious outbreaks of professional crimes. Crimes which do not have very wide ramifications should continue to be the concern of the investigating officers proposed to be attached to the District Crime Bureau. The investigating officers of the Criminal Investigation Department will then not have the same strain which they have to bear now. The Commission expect that the cases endorsed to the Criminal Investigation Department must be carefully selected and recommend that the field staff posted to the headquarters of the ranges should be withdrawn to reinforce the

squads of this department. If even this reinforcement is not found adequate and the burden on the squads continue to be heavy, resulting in protraction of investigation of cases, the Commission advise that the Deputy Inspector-General should be authorised to ask for temporary augmentation of the strength for cases which his normal staff cannot cope with. The Commission are also of the view that whenever an officer of the Criminal Investigation Department is deputed to investigate cases controlled by it, the officer so detailed should write the case diaries. The Commission would like to reiterate the relevant rules¹ of the Police Manual which hold the District Superintendents responsible for the details of enquiry or investigation within their districts and require the officers of the Criminal Investigation Department to work in complete subordination to the Superintendents; strict enforcement of these rules should remove any cause of friction between the officers of the Criminal Investigation Department and the district police.

The Anti-Dacoity Wing should continue to function as at present until the problem of dacoity is tackled effectively. It is only when this form of crime is fully controlled that the department should consider giving this wing a permanent shape. A separate squad will be required for railway crimes including accidents and derailments. Similarly, there should be another squad for dealing with smuggling of excisable articles. To tackle the growing menace of anti-social elements, indulging in organised exploitation of women and children, it is necessary to form a social defence squad. The Commission hope that the proposals already pending with the Government will be soon sanctioned and before long, the Missing Persons' Bureau, the Juvenile Aid Bureau and the Boys' Clubs will be organised.

55. It is necessary that the Criminal Investigation Department is not only adequately staffed but its personnel is carefully selected and individually trained. The field for the selection of the officers of the Criminal Investigation Department is invariably the uniform branch of the force and the present system should continue. Experience in the uniform branch of the police is an essential qualification for appointment in order that the officer may obtain the necessary insight into police work and organisation. The Commission do not consider it necessary to prescribe any minimum period of service in the general cadres of the regular police but it should be long enough to turn a recruit into a finished policeman and to give him the restraint and the sense of discipline which are induced by the performance of duty in uniform. It is desirable that the selection should be made when the officer is still young enough to be able, without undue labour, to adapt himself to the new type of work. It must also be borne in mind that a lengthy period of duty in uniform is likely to so stamp a man as a policeman, that even in plain clothes, he is recognised as such by his carriage and general demeanour. Before an officer is selected for the Criminal Investigation Department, his aptitude for this specialised type of work should be clearly judged. The Commission recommend that the head of the training institution should be in a position to form his opinion about the special aptitude of the recruits and those who show promise for detective work should be further watched in the districts by the Superintendents. If they continue to show interest in detective work, they should be marked for the Criminal Investigation Department and the District Crime Bureau and selected as soon as the necessary experience of police work has been acquired by them. Once an officer is thus selected, the period of his stay in the Criminal Investigation Department should largely depend on his merit. He should be on probation for at least one year and should in a way continue on probation in the sense that his retention in the Criminal Investigation Department must always be subject to his continuing to discharge his duties satisfactorily. Every officer's worth must be periodically assessed and there should be no hesitation in transferring

1. Rules 424, 426, 427 and 428 of the Police Manual.

any officer out of the Criminal Investigation Department if his efficiency is ever found to be below the required standard.

At present there is no provision for training of the personnel selected for the Criminal Investigation Department. They are expected to acquire efficiency by experience. It is appreciated that no course of instruction can in itself make a man a detective if he has no natural aptitude for this kind of work, and nothing can take the place of experience gained in the actual investigation of crime. But it is all in all good for a detective to be well-grounded in various branches of detective technique before he has to undertake the responsibility of handling actual cases. It is, therefore, a matter of fundamental importance to create an effective system of detective training on up-to-date and practical lines. The course should be reasonably comprehensive and practical and should ensure good grounding in law and procedure. It should enable a detective to learn sound and systematic methods in the examination of witnesses and the application of certain technical processes such as making of casts, taking of finger prints and the handling, marking and packing of objects and materials of all kinds which may need laboratory or other expert examination. He should thoroughly understand the use of record system in the Criminal Intelligence Bureau and the District Crime Bureau. If he can also be given some general insight into the scope of laboratory work without being expected to carry out laboratory examination himself, it should be of advantage. The course of training should cover twelve weeks and any one not satisfactorily completing this course should not be accepted in the Criminal Investigation Department.

56. The spirit of co-operation and the practice of mutual assistance between the officers of the Criminal Investigation Department and of the district police must prevail. In no case should any tension be allowed to grow between these two important branches of the police. Useful information may be lost and the efficiency of the officers as an instrument for fighting crime is bound to suffer if there is no harmony or mutual understanding. It is necessary that every member of the uniform police knows exactly the functions and the utility of the Criminal Investigation Department as from this knowledge will be developed the necessary understanding. The Commission are informed that the authority that vests in the Deputy Inspector-General, Criminal Investigation Department for assuming control of the investigation of certain classes of crime sometimes causes friction and strains the relationship between the Criminal Investigation Department and the district police. The classes of crime of which the Deputy Inspector-General, Criminal Investigation Department, can assume control on his own are indicated in the Police Manual rule quoted earlier in this chapter. The Commission feel that these are crimes which require specialised assistance of the Criminal Investigation Department and any such assistance should, therefore, be always welcome to the Superintendents of Police and their officers. In the view of the Commission, the rules of the Police Manual, as they stand today, should ensure co-operation and harmony provided they are enforced, both in spirit and form. Furthermore, the Deputy Inspector-General of Police, Crime and Railways, and his two Superintendents should endeavour to maintain close and intimate contact with their counterparts in the ranges and the districts. These contacts should go a long way to foster the spirit of co-operation.

57. Every investigating squad must be supported by a section of ministerial officers who should maintain the special report files and all other papers relevant to investigation and enquiries conducted by the officers of the Criminal Investigation Department, who will depend on them for information and references necessary for their enquiries. The Chief Inspector in charge of a squad should be responsible for supervising the work of the correspondence branch of the office and all files and papers received from the office for onward

transmission to superior officers will be scrutinised by him. A separate section under a Chief Inspector will be in charge of accounts and establishment. As administration of the Government Railway Police will vest in the Deputy Inspector-General, Crime and Railways, there should be another section in the office to deal with administration and management of the railway districts. This section should follow the pattern of staffing which the Commission have proposed for the office of a Range Deputy Inspector-General.

58. The Commission note with satisfaction that a Research and Statistical Bureau has been set up. This Bureau is expected to study all police problems and compile the required statistical data. The Commission recommend that this Bureau should be made permanent and further suggest that it should not confine itself to subjects dealing with crime and criminals only but should also study the administrative problems including the problem of personnel. In order to ensure that this Bureau is regularly and adequately supplied with useful materials, a statistical section should be set up in every District Crime Bureau.

59. At present, the technical branch of the Criminal Investigation Department is formed of the State Finger Print Bureau, the Police Laboratory and the Photo Bureau. The importance of this branch of police work needs no emphasis. The British Advisory Committee on the scientific investigation of crime presided over by Lord Trenchard, at one time Commissioner of the Metropolitan Police of London, had observed in their Report dated the 24th June, 1936, "the organisation within the Police Service of a comprehensive laboratory system for the purpose of bringing the resources of science to bear upon the investigation of crime is we are satisfied, a development of immense value which should be pressed forward without delay". The Commission fully concur in these observations and consider it of particular importance that the possibility of application of science to the investigation of even common forms of crime should be fully appreciated by every member of the force. Every police officer including a constable must have a good general knowledge of what can be accomplished by seeking the aid of science and how it can be sought.

The three technical sections, namely, the Finger Print Bureau, the Police Laboratory and the Photo Bureau, in the past, were manned by police officers who were drawn from the general cadre of the police. In 1947, the cadres of experts were closed and senior and junior experts appointed, one of the senior experts being placed in charge of the section and designated as the officer-in-charge. Recently, the officers-in-charge of the Finger Print Bureau and the Police Laboratory have been appointed as Directors and given the status and pay of a Deputy Superintendent of Police; the Director of the Laboratory is also the State Examiner of Questioned Documents. The Commission recommend that the officer-in-charge of the State Photo Bureau should be similarly designated and raised in status. His advancement is fully justified in view of the importance of photography in police work and the additional responsibility which this Bureau will shoulder on the creation of scientific units in the districts.

In order to ensure the efficiency of the technical staff, their conditions of service should be made attractive and their recruitment and training carefully planned. It is also necessary that the experts should enjoy such a status as would make their evidence always worthy of credence by the Courts of Law.

Several witnesses appearing before the Commission have drawn their attention to the inordinate delay that occurs in receiving expert opinion on the exhibits sent to the technical sections by the investigating police and the trying courts. The standard of investigation can never improve unless expert opinion is made readily available to the police and no effort

should be spared to ensure that the examination is prompt and reports sent more expeditiously. In one of the appendices, the Commission have attempted to indicate the strength that should be sanctioned for these three technical sections, but there should be no hesitation to increase the strength further if the work-load justifies it. The department must also ensure that if the cause of the delay is in the procedure, it should be removed.

60. The Finger Print Bureau plays an important role in the detection of crime. While on tour outside the State, the Commission happened to visit the Finger Print Bureau of Madras located at Vellore. They were much struck with the expeditious disposal of their work and also with the results achieved due, largely, to the introduction of the single digit system and the collection of chance impressions. The Bihar Finger Print Bureau has also undertaken this kind of work but it has to be appreciably expanded. It is the view of the Commission that the work of classification, recording, elimination and search is greatly facilitated in the Madras Bureau due to the entertainment of a staff of searchers and testers. The Commission recommend the introduction of this cadre in the Finger Print Bureau of this State.

Some progress has already been made in Bihar with regard to the recording of foot-prints and the Commission hope that this good work, which has been started, will be continued and expanded.

61. Due to long distances and lack of quick means of communication, scientific aids cannot always be readily given to the investigating officers. The Commission advise that the Criminal Investigation Department should have two fully equipped mobile laboratories for the use of the experts so that they can visit the scenes of crime promptly.

62. In a large State like Bihar, it is not feasible for the State Forensic Science Laboratory and the technical sections attached to the Criminal Investigation Department to cover all the districts effectively. It is the view of the Commission that for preliminary scientific examinations of a routine nature, a small technical unit or laboratory should be set up at the headquarters of every district to be attached to its Crime Bureau and in the Training Institution. For each such laboratory, the staff should consist of one junior expert to be drawn from the Finger Print Bureau and a Head-constable, both trained in photography and optical examinations. Between them, they should be able to conduct any preliminary scientific examination with optical aids and the use of photographic cameras. The photo units sanctioned for Patna, Bhagalpur, Ranchi, Jamshedpur, Dhanbad and Muzaffarpur should be abolished. For raising the efficiency in giving aid to the investigation of crime, it is also necessary that each District Crime Bureau should have a reasonably equipped mobile laboratory.

63. The Commission have been informed that crime prevention exhibitions are freely held in some of the Western countries and such exhibitions have also been organised in Bihar. They are the best media for educating the public in assisting the police in the investigation and detection of crime. A small staff to organise such exhibitions on a sound basis, to be attached to the Criminal Investigation Department, should be of considerable help. This section could also take over the museum which every modern Criminal Investigation Department must maintain.

64. The District Crime Bureau set up temporarily in 1955 functions under the administrative control of the Deputy Inspector-General of Police, Criminal Investigation Department, but the operational control vests in the Superintendent of Police of the district. Its staff is borne on the cadre of the Criminal Investigation Department. Its main function is to record and distribute information about crimes and criminals. The Commission had the opportunity of visiting some District Crime Bureau in Madras where this institution is well established as a part of the District Executive Force. They were considerably impressed with the assistance which District Superintendents in Madras received from this Bureau towards prevention and detection of crime. It functions as a clearing house of all information and every investigating officer is expected to make frequent references to the Bureau. Whenever a crime against property is reported, necessary information about it is sent to the Bureau in a printed card. From these cards, a Daily Sheet is prepared and circulated to all Circle Inspectors, Subdivisional Police Officers, the Crime Bureau of the bordering districts and the State Criminal Investigation Department. These Daily Sheets are intended to convey an idea of the nature and volume of crime in the district. Similarly, weekly reports are received from all police-stations indicating the crimes reported during the week; a progress in the disposal of old cases; and the names and descriptions of persons arrested or wanted. All such information is compiled and published in the Weekly Crime and Occurrence Sheets. The "Daily Sheets" and the "Weekly Crime and Occurrence Sheets" form the basis for the preparation of all other periodical crime reports. In Bihar, the District Crime Bureau is still in its infancy but as it is full of promise, the Commission recommend that it should be made permanent and its staff should form part of the District Executive Force. A Chief Inspector should be placed in charge of the Bureau and the present so-called vernacular office which is a misnomer should be merged in this Bureau. The collection, recording and distribution of information should follow the pattern of the State Criminal Intelligence Bureau and for that purpose, the staff of the District Crime Bureau should be given a course of training in the Criminal Investigation Department. For ensuring prompt and systematic distribution of information, the District Crime Bureau should publish Daily and Weekly Sheets as is the practice in Madras. Some witnesses seem to be of the view that a Crime Bureau is also necessary at the level of the Range Deputy Inspector-General of Police. The Commission are unable to appreciate the necessity of any such Bureau.

To every District Crime Bureau should be attached officers of the rank of Inspector or Assistant Inspector in accordance with the work load for the investigation of such crimes which may not require the deputation of an officer of the Criminal Investigation Department, but some specialised assistance to the police-station investigating officer would be necessary. It has already been indicated what care should be exercised in selecting staff for the District Crime Bureau. The scientific section and the mobile laboratory which have been recommended above for every district, should be set up under the overall supervision of the Chief Inspector in charge of the District Crime Bureau.

65. It has been brought to the notice of the Commission that the system of recording of finger prints of classes of convicted criminals specified in rule 330 of the Police Manual has not worked satisfactorily and on the reorganisation of the prosecution cadre, which the Commission desire to propose, further difficulties may be experienced. These finger prints which are sent for record in the Finger Print Bureau form a very valuable collection, from which not only can the previous convictions of criminals, but also the identity of unidentified persons, be traced and if necessary, proved in court. The general complaint is that finger prints are not promptly and properly recorded by the police prosecuting staff. In Madras, the finger prints of such classes of criminals are recorded as soon as they are

arrested. One of the Head-constables of the police-station is entrusted with this work. The finger prints of such accused persons who surrender in court are recorded as soon as intimation is received by the investigating officer. This system ensures that the finger prints of persons accused of the specified classes of crime do not escape recording. As soon as an accused is convicted, his finger print slips recorded on a prescribed form are sent to the District Crime Bureau. One of the trained Head-constables of the Bureau tests these slips at the weekly jail parades and obtains necessary orders of surveillance from the Superintendent of Police. These slips are retained in the Bureau till the period of appeal is over and if the appeal is not preferred or dismissed, the Superintendent of Police forwards them for classification and record to the State Finger Print Bureau where these slips are carefully scrutinised. Testers are deputed to visit district jails for re-testing of some of the slips and also for removing defects that may be noticed in any slip. In this scheme of the P. R. (Police Registered) work, greater efficiency in recording of finger prints is ensured. The Commission recommend that the same procedure for recording of the finger print slips should be adopted in this State. All Head-constables should be given a course of training in the recording of finger prints and one of the Head-constables posted to the police-stations and the District Crime Bureau should be entrusted with this work.



CHAPTER VI

TRAFFIC POLICE

66. With rapid industrialisation, unprecedented mechanisation and larger concentrations of population in cities and towns, the problem of traffic control overshadows in magnitude any other police regulatory task. There is hardly any one who is not inevitably affected by the adverse problem that arises from a continuously growing use of the automobile. That more people are injured and killed in automobile accidents than as a result of any other mischief, which is the task of the police to prevent, is, perhaps not fully realised. The loss of human life and property sustained in automobile accidents is easily comparable to any other form of loss, the police are charged with preventing.

There is no connected history of the development of the traffic branch of the Bihar Police for the problem of traffic control is of recent growth. The first motor car appeared in India in 1898 and Bihar saw one on the road a few years later. On the appearance of the automobile the necessity for some law to regulate traffic was felt and the Motor Vehicles Act but with only 18 sections was brought on the Statute for the first time in 1914. The realisation of proper traffic regulation came as late as 1939. Prior to this year a Motor Vehicles Advisory Committee in each district was intended to be organised with the Chairman of Municipalities and District Boards as well as their engineers as members. These committees never came into being but in 1938 a total force of 3 Assistant Sub-Inspectors and 63 constables was sanctioned for regulating traffic and enforcing traffic laws in Patna, Jamshedpur and Dhanbad. In other towns, the constables of the town out-posts, primarily meant for watch and ward during the night, performed traffic duties on the days they were on rest from night duty. A Committee set up by the Central Government in 1932 recommended that there should be adequate inspection of transport vehicles, effective prevention of overcrowding on public vehicles, efficient regulation of hours of work, strict tests in motor driving, compulsory insurance of vehicles against third party risk and an obligation on bus operators to issue tickets and maintain time and fare tables. This Committee, however, engaged itself mainly with problems related to passenger traffic as goods traffic by road on automobiles was almost unknown. Another Committee, known as the Wedgewood Committee, examined the matter further and its recommendations led to the legislation of the Motor Vehicles Act of 1939. This was the first comprehensive piece of legislation dealing with the machinery for the administration of road transport and the present organisation in this as well as other States is based on this Act. The Provincial Government created a Transport Department for the administration of the Motor Vehicles Act and of the Motor Vehicles Taxation Act. The registration of motor vehicles and the enforcement of the laws connected with these special legislations continued to be entrusted to the Superintendents of Police and their staff.

The State Transport Authority with the Member of the Board of Revenue as its Chairman and the Regional Transport Authority in every division with the Commissioner as its Chairman have been set up to deal with the issue of permits to transport operators. Certain officials have been appointed as *ex officio* members of these committees which also consist of some nominated non-official members. The Member of the Board of Revenue constitutes a tribunal to hear appeals from the orders of the Regional Transport Authority. The Commission commend to Government for their consideration whether an officer from the judiciary should not also be made an *ex officio* member of this tribunal.

It was not until 1948 that the Transport Department of Government came to be fully organised under the State Transport Commissioner, assisted by a Deputy State Transport Commissioner. The latter also acts as Secretary to the State Transport Authority. The

Department has recently created the post of an Assistant Transport Commissioner (Technical). In pursuance of the recommendations of yet another Committee set up by the Government of India, 14 posts of Motor Vehicles Inspectors were created in order to assist the Superintendents of Police and the Transport Department in the inspection of transport vehicles plying for hire or reward. The work of enforcement on highways is entrusted to the Transport Department and executed through 6 gazetted officers, 4 Mobile Squad Inspectors, 4 Inspectors of Police, 2 Assistant Sub-Inspectors, 20 constables drivers and 28 constables. The officers have been provided with pick-up vans, portable weigh-bridges to assist in weighing of pay-load of every transport vehicle and with stop-watches to ascertain the speed. The portable weigh-bridges, it has been reported, are not in use at present. The mobile squads are posted at Patna, Bhagalpur, Muzaffarpur, Gaya, Chapra, Purnea, Jamshedpur, Barhi on the Grand Trunk Road in the Hazaribagh district and Chirkunda in the district of Dhanbad where the Grand Trunk Road enters Bihar. These squads between them instituted 2,671 prosecutions during 1957-58 and the Transport authorities took departmental action against a fair number of operators on their report. Before 1955 there were static traffic posts in Chirkunda, Barhi and Sasaram. On the recommendation of the Inspector-General of Police, these static posts were abolished in that year as they were found to be centres of great abuse. The personnel sanctioned for these posts went to reinforce the mobile squads which were placed under the control of the Superintendents of Police and the Range Deputy Inspectors-General. Their pay, travelling allowance and contingent charges, etc., however, continued to be debited to the appropriate budget head of the Transport Department. It has been urged before the Commission that these squads suffer from some major defects. They are not adequate in strength to cover effectively all the major roads and are not sufficiently mobile; their officering is poor and supervision inadequate.

The Superintendent of Police continues to be the licensing and registering authority under the Act. Except the Motor Vehicles Inspector who helps him in the inspection of the vehicles, he has no other special officer to assist him in the work of licensing or registration. One of his Assistant or Deputy Superintendents, in addition to his own duties, generally takes charge of the motor vehicles branch of the District Police Office. This branch mainly deals with the licensing of drivers and conductors, registration and grant of certificates of fitness to motor vehicles, realisation of taxes as also supervision of the work of enforcement of the law and the prosecution of offenders under the Motor Vehicles Act.

67. Evidence before the Commission is overwhelming to indicate that the existing scheme of traffic control leaves much to be desired. It involves investigation of traffic accidents, regulation and direction of traffic and enforcement of traffic laws. The main object to define these functions is to facilitate the safe and rapid movement of traffic on all roads. Those in charge of traffic control are the visible representatives of the Government and their execution of duty is constantly being judged at the bar of public opinion. The Commission have, therefore, examined this problem with considerable anxiety in order to suggest some concrete solution of a somewhat difficult problem.

The magnitude of the loss from road accidents can well be imagined from certain statistics that have been obtained. In the United States of America, 37,000 persons were killed and 1.35 millions were injured in such accidents in 1958. In the United Kingdom, during the same year, 5,970 were killed and 2,93,797 injured. In India, the incidence is not so high as the use of automobile is yet restricted. Excluding the figures of Madhya Pradesh, 68,243 persons were involved in road accidents, of whom 4,368 were killed in 1958. In Bihar, 2,094 persons were similarly involved, of whom 440 were killed. The rapid increase in the rate of accidents has already caused considerable alarm and several witnesses have urged before the Commission that positive steps should be taken to prevent accidents. By the end of the Second Five-Year Plan, India will have greatly increased the mileage

of hard surfaced roads. The rise in the registration of automobiles, particularly heavy motor vehicles, throws up several problems which have to be tackled efficiently. The solution is not to restrict the number of slow or fast moving vehicles on the road, for the clock of national prosperity cannot be put back and road transport will continue to play a vital role in any plan for national development.

68. The problem of traffic, its control and organisation can well be divided into—

- (1) Enforcement;
- (2) Engineering;
- (3) Education.

Each of these items, in the view of the Commission, merits rational treatment without much delay.

(1) *Enforcement*

69. It has been suggested by some witnesses and it is also the recommendation of the Masani Committee set up by the Government of India that the work of licensing, registration and enforcement, at present entrusted to the Superintendent of Police, should be transferred to another department to be constituted by Government under the State Transport Commissioner. The Commission are not in agreement with this view and readily fall in line with the evidence of a large number of informed witnesses that the police should continue to be responsible for this kind of work. The policemen on traffic point duty or on patrol and those posted to police-stations will necessarily continue to enforce traffic laws and regulate traffic. There is no other suitable agency that can replace them. It seems unpractical and inexpedient to entrust the work of enforcement to any other department but the police. In any case the irregularities in any other department can never be any less. Moreover the officers-in-charge of police-stations and some other police officers have certain statutory obligations. Then again, if the more important work of enforcement under the general laws like the Indian Penal Code, can be entrusted to the police, there is no reason why the police should not continue to enforce the traffic laws in all their aspects as is done in the United Kingdom and some other advanced countries. In such circumstances, the Commission are of the considered view that it would be a wrong step to set up another department for licensing, registration or enforcement. If such a department were to be set up, it would not only be prohibitively expensive, for a whole hierarchy of officials will have to be appointed from the State to the police-station level, but the Commission are extremely doubtful if the work connected with traffic regulation and enforcement of traffic laws would in any way be an improvement over the present position. On the other hand, with a small expenditure, the present police machinery could easily be geared up, in view of the Commission, to deal with this problem more efficiently. In the more advanced Western countries, where such a problem is far more acute, the police continue to be responsible for enforcement of all traffic laws. What is required, according to the Commission, is that the motor vehicles and traffic branch of the District Police Offices should be properly constituted and duly reinforced in order to bring greater efficiency in dealing with the problems connected with enforcement of traffic laws. The Superintendent of Police in his office should be afforded the necessary assistance of a fully trained superior officer of the rank of Chief Inspector to take charge of the motor vehicles branch of the District Police Office where the number of vehicles registered exceeds 1,000. In the other districts one of the officers in charge of the other branches of work in the Police Office will continue to be in charge of the motor vehicles section as hitherto. A trained Chief Inspector will not only be of assistance to the Superintendent of Police in dealing with the work connected with prosecution and registration but will supervise efficiently the investigation of the more important cases of

accident, and also control the work of the traffic police, the mobile squads and the Motor Vehicles Inspectors who have to inspect public motor vehicles and furnish a certificate of fitness. It has been urged by some witnesses that frequently vehicles which are mechanically unsound have been passed as fit. This is obviously an unsatisfactory state of affairs. The Commission desire to express their firm view that the Motor Vehicles Inspectors who have to certify to the fitness of public vehicles before registration, should be fully qualified for this kind of work and that they should be placed squarely under the Superintendent of Police.

Investigation of traffic offences. 70. The Commission have also been informed that the standard of investigation of accident cases is poor and can be improved with increasing use of scientific aids. They endorse this view. All cases of serious accidents should be investigated by specially trained officers who should be attached to the District Crime Bureaux or the central police-stations in the bigger cities. Another view which has been strongly placed before the Commission is the irksome manner in which petty infringements of the provisions of the rules are dealt with. It has been suggested and the Commission are in agreement with the idea that following the practice in some of the Western countries, as also in Calcutta, a proper system of issuing warning notices in the first instance by the Superintendent of Police should be introduced. This will prevent institution of prosecutions on trivial grounds or unnecessary harassment and also bring to the notice of defaulters their acts of omission or commission which frequently go unnoticed.

Prosecution of traffic offences. 17. While there has been a perceptible rise in the number of prosecutions, there is evidence before the Commission to indicate that simultaneously there has been a progressive rise in the number of cases pending disposal. On the average some 900 cases remain undisposed every year and such delays should cause great concern. The Commission have also been informed that one of the main causes of such delays is the difficulty in securing the appearance of either the accused or the witnesses who travel long distances to their respective destinations before the processes are served on them. This difficulty would be considerably reduced if mobile courts, as have been introduced in some of the bigger cities, were set up in all such areas where motor traffic is heavy. The magistrates may be requested to travel with the mobile squads so that any infringement of the motor vehicles laws or rules which are statutorily punishable could be dealt with promptly at the spot. Fines could be realised without delay and the expenditure over service of processes and the consequential delays would be greatly obviated. These mobile courts would easily pay for themselves in the sense that fines would be realised promptly without any expenditure. The punishments would also become sufficiently deterrent.

Regulation of traffic. 72. Regulation of traffic is governed by the rules contained in Appendix 9 of the Police Manual. The traffic police under these rules are required to regulate the flow of vehicles, assist pedestrians using the roads and generally to carry out such duties as are necessary to prevent danger to road users, to facilitate progress of transport and to enforce the provisions of the law. In the execution of these basic tasks, a traffic policeman is always required to be courteous but at the same time firm and must necessarily possess a thorough knowledge of the provision of the Motor Vehicles Act and Rules, the Municipal bye-laws, certain sections of the Police Act and also local orders and rules relating to public thoroughfares and places. They should have a good knowledge of the plan of the roads and the lay-out of the town in order to assist road users and direct traffic. They have to investigate traffic offences that have been defined either in the Motor Vehicles Act or in the Indian Penal Code. It is obvious to the Commission that these heavy requirements need almost a specialised staff and the present class of the officers connected with traffic control, in the view of the many witnesses with whom the Commission agree, is poor. It

was suggested by some that there should be a separate cadre of traffic policemen. The creation of a special cadre, which will necessarily be small and prevent proper circulation of the staff from one branch to another, in the view of the Commission, may be inexpedient and may not bring about the desired result. The Commission, therefore, recommend that the traffic police, both for enforcement and registration, should continue to be a part of the District Executive Force under the Superintendent of Police but those who are entrusted with such duties must be specially selected and properly trained. If the constables who are to perform traffic or crime duties, as recommended by the Commission in Chapter III are fully trained men of education, the Commission are of the view that there is no reason why they should not be as efficient as their counterparts in England.

The Commission are also of the view that no one should be on traffic duty for longer than six hours and the work should be organised in two hourly shifts as six hours is too long a period for one to be continuously on such duty.

Depending on the work load, the personnel required for traffic duty would be for—

- (i) supervision;
- (ii) patrolling;
- (iii) parking;
- (iv) places of public entertainment;
- (v) point duty; and
- (vi) investigation.

In addition to the staff required for the above branches of work, and again depending on the volume of traffic, some districts should have one, two or more flying squads, with facility for quick transport, e.g., high powered motor cars and motor cycles, for checking overspeeding and other breaches of the traffic rules and laws on public highways. These squads should be equipped with wireless, stop-watches, portable weigh-bridges and some other mechanical devices which could detect with accuracy overspeeding or overloading. This part of the work is at present done by the officials of the Transport Department but they could easily be placed under the direct control of the Superintendent of Police and the general guidance of the State Transport Commissioner who should be *ex officio* Deputy Inspector-General, Traffic. The Commission would like to emphasise that the Grand Trunk Road and the other trunk roads should be fully covered by these squads. If magistrates are requested to accompany them, the work of investigation and prosecution would be greatly expedited.

73. As regards the strength that should be considered adequate to deal with all matters

connected with traffic control and enforcement, the Commission would not like to recommend any fixed yardstick, for, *ad hoc* decisions will have to be taken after a careful survey is made of the traffic, particularly during peak hours in every district. The Commission have, however, ample evidence before them to indicate that the present strength, both in quality and number, is wholly inadequate. There is considerable deficiency in the supervisory ranks and to ensure efficient execution of work at every level there should be adequate number of supervisors. The Commission, therefore, recommend that for every 10 constables, there should be one Head-constable for supervising their work and for every 3 Head-constables there should be one Assistant Inspector and for every 3 Assistant Inspectors, an Inspector. As automobile traffic is still in its primitive stage in many districts, the increase in the traffic staff in most of them would be of a small order. The Commission, however, agree that the present strength is inadequate and requires substantial augmentation.

The strength in each district should be determined on the basis of requirements for manning traffic points and for furnishing traffic patrols. In 1944 when the traffic staff

was increased it was suggested that the strength should be calculated on the basis of one constable for a post which requires 6 hours duty, 2 for 10—12 hours, 3 for 12—18 hours and 4 for 24 hours duty. The Commission accept this basis of calculation and the strength of the constabulary of each district should be determined accordingly.

The Commission also recommend increasing use of mechanical devices for they are efficient in many ways in controlling traffic, particularly at the cross-roads and T. junctions. Adoption of such mechanical devices would also save man-power.

74. The task of the traffic policeman is onerous and he can execute it efficiently only if he is properly recruited, fully trained and has the necessary personality. Those who are selected for this branch of the police should be of a minimum height of 5' 8". They should have the necessary personality and the required mental make up of a person who can be relied upon to act on his own. During their tour outside the State, the Commission happened to visit the Traffic Training School in Calcutta and were much impressed with its set-up. They recommend that a similar school should be established in this State and attached to the other training institutions. Training in traffic should also be imparted to all the constables initially recruited and trained at the Constables' Training School and a note in the Service Book should be appended by the head of the training institution whether, in his view, the constable would make an efficient traffic policeman. At the Traffic Training School, which will provide advanced training, they must be trained to develop the correct attitude on their work and conduct. While they may be firm in executing their duty, they must always be polite, as courtesy and politeness will greatly help them to win the confidence of the people. They should be made to realise that to the road users, a traffic policeman becomes a representative of Government, particularly to the foreign visitors, who are especially entitled to be treated with the utmost courtesy and politeness.

After a course of intensified training, the Commission are of the view that those who are posted to the traffic branch should not be transferred too soon and the normal period of such posting should not be less than five years and may extend to seven years.

75. These recommendations are made because the problem of traffic control has considerably increased due to the introduction of a very large number of slow moving vehicles in almost every town. The rickshaw is the conveyance of the average citizen and has, perhaps, come to stay. In order to regulate traffic, it is essential that effort should be made to mark lanes for slow and fast moving vehicles. This will prevent accidents and afford necessary facility to the users of the road. It has been urged by some witnesses that the number of rickshaws should be curtailed. The Commission do not propose to recommend such a step, but further licensing of rickshaws should be done cautiously, keeping the road conditions well in view and in consultation with the District Magistrates and Superintendents of Police. The Commission have also noted that a fair number of motor cycle rickshaws have been licensed. Their speed should be properly regulated and they should not be allowed, in the view of the Commission, to ply on narrow streets. They can be classed as fast moving vehicles and when traffic lanes are properly marked on the streets, the chances of accidents would be considerably minimised.

The problem is also likely to grow with considerable speed in view of the latest amendments of the Motor Vehicles Act, 1956 which have facilitated inter-State goods traffic by raising the laden weight from 14,500 lbs. to 18,000 lbs. In Bihar, however, the limit of laden weight continues to be 14,500 lbs. and only on certain roads, the laden weight has been raised to 19,000 lbs. A large number of witnesses have voiced considerable concern over the rising tempo of serious accidents in which transport vehicles are involved and it

has been said that these accidents are generally caused by faulty driving, dazzling headlights, excessive loading, reckless overspeeding and drunkenness of the drivers. These faults could be corrected easily, in the view of the Commission, through efficient inspections, effective road blocks and properly organised and well equipped rying squads working with an element of surprise. A much stricter test of driving, particularly of heavy vehicles has to be introduced; frequent inspections of vehicles should ensure that the headlights are properly hooded; weigh-bridges (static and portable) should be made available for checking overloading as the braking capacity of a vehicle which is overloaded is reduced; the payload should be determined, keeping in view the effectiveness of the brakes; stop-watches should be provided not only to rying squads but also to police officers detailed to lay traps for those who indulge in overspeeding both in cities, where speed limits are imposed, and on trunk roads. The speed limits prescribed in the permits of public vehicles must be fully observed. As for drunkenness of the drivers, the Commission have been informed that contraband liquor is generally served on the wayside to harassed and tired drivers who have to travel with their heavy vehicles long distances and quite often from Calcutta to Amritsar and also from Calcutta to Bombay. They get so physically tired that their driving efficiency is considerably undermined. The Commission are of the view that no driver of a heavy vehicle should be allowed to travel longer than 250 miles in one day and if any driver is involved in an accident he should be subjected to a pathological test in order to determine whether he was driving the vehicle under the influence of alcohol. Such a precaution is invariably taken in the Western countries. In case a driver is found to have been drunk, a more deterrent sentence should be pressed for when he is placed on trial and convicted. The sale of liquor on the roadside should also be properly regulated and tea stalls inspected to prevent any illicit sale.

(2) *Engineering*

76. The road conditions in India are such that they cannot easily hold fast moving traffic with any safety. The problem of traffic control is thus not only a police problem but also an engineering problem. The roads are mostly narrow, the corners are dangerous and the cross-roads crooked to permit safe driving. The Masani Committee set up by the Central Government has recommended that an engineering branch should be created in the office of the State Transport Commissioner. The Commission fully endorse this view.

The Transport Department of Government under the State Transport Commissioner should consist of three branches, namely, the enforcement branch, the engineering branch and the education branch. The present arrangement with regard to the enforcement branch should be reorganised under the Superintendent of Police as recommended by the Commission. The engineering branch should be placed under a qualified road engineer who should work under the technical and disciplinary control of the Chief Engineer of the Public Works Department and the operational control of the State Transport Commissioner. The engineer should be able to implement quickly any minor scheme of road widening or reconstruction of cross-roads, erect traffic signs, traffic islands and traffic roundabouts without undue delay and ensure proper lighting up of the roads and the streets. Another essential duty of this officer should be to undertake research in matters connected with road construction to ensure efficient traffic control. During their tour of West Bengal, the Commission visited the office of the Additional Commissioner of Police, Calcutta, who is also Additional Deputy Inspector-General in charge of traffic in West Bengal. The engineering section was seen doing most useful research work and to it were attached one supervisor and 10 workmen. The Commission recommend that to begin with, the same staff, should be sanctioned for this section in the Transport Department.

(3) *Education*

77. The Commission are of the view that the steps that have been suggested to improve the methods of traffic control will not be of much avail unless sustained work is undertaken to educate the people how to use public roads. In the more advanced Western

countries, ' Safety First ' Associations controlled mostly by non-official agencies have been set up. Courses of lectures have been designed to be delivered in educational institutions for educating the youth in the use of public roads and children are being taught to develop road-sense. Showing of appropriate films and taking them out on the road to let them gain practical experience have been found to be useful. The Commission, therefore, recommend that steps should be taken by the Government in the Transport Department, to encourage the establishment of such associations almost in every district. Audio-visual lectures should also be organised by these associations for purposes of education. An officer who has some experience in this kind of work should be attached to the education branch of the State Transport Commissioner's office.

78. The Commission have made these elaborate recommendations keeping in view the pressing evidence of a large number of witnesses to improve the methods of traffic control. The accident rate is growing so rapidly that timely steps should be taken to ensure safety of the citizens on the road and they are in no mood to defer any scheme of improvement much longer.



CHAPTER VII

GOVERNMENT RAILWAY POLICE

79. The origin of the railway police is to be found in the memorandum of the "Supreme Government" accompanying the resolution appointing the Indian Police Commission of 1860. While the Supreme Government emphasised the necessity of one police force in "one locality", an exception was made in the case of the railway police. The evolution of this force in India is peculiar in many ways. The main reason for this peculiarity is due to the growth of the railway system, till lately, under private enterprise.

It was not until 1866 that the British Government ordered the creation of the railway police force "entirely at the disposal of the Agents so far as it is consistent with the laws in force". The administrative control of this force vested in the Agents of the various railway systems, but the Inspector-General of Police was also to continue "to exercise the same general control over this railway police that he exercised over all the police under the Indian Police Act. Returns of crime were to be sent to him". The cost for entertaining the force was met by the railway companies subject to only one-fourth contribution made from Government.

Difference soon arose with regard to the meeting of the cost and, within a few years, a separation was sanctioned, whereby the duties of the Government Railway Police were confined mainly to passenger traffic and the "private police" of the railway companies, later known as the Watch and Ward establishment, were made responsible for watching goods-sheds, wagons, etc. The present allocation of costs between the railway administration and the State Government has its basis in this system which requires that the Central Government meet the cost of the "Platform" or "Order" police and also maintain the watch and ward organisation, now reorganised into a large Railway Protection Force under its own Inspector-General, and the State Government continue to be responsible for the enforcement of law and for the control of crime and entertain, as a part of the Government Railway Police, the investigating agencies.

Several committees were appointed, from time to time, to enquire into the question of policing of the railways in India. The Indian Police Commission of 1902-03 reaffirmed the principle that watch and ward of railway property or of property entrusted to the railway was a kind of duty for which the Government Railway Police should not be made responsible and this 'responsibility should rest on the Company's watch and ward organisation'. They also examined the merits of the three different systems of the railway police administration, namely, (a) the district system; (b) the provincial system; and (c) the railway administration system. They favoured the provincial system as both the district and the railway administration system had certain inherent defects. They felt that the railway administration system involved a police force under one local Government working within the jurisdiction of another, when law and order was a provincial responsibility. This would not have been a satisfactory arrangement. They did not support the district system as they found that the railway police work could not be confined within the limits of one district and any such restriction would become more and more impossible with the rapid growth in the use of the railways by the criminal classes. They, therefore, favoured the creation of a separate railway police district for the railway system serving one Province, and strongly expressed themselves against any subordination of the railway police to the railway authorities on the ground that the Government Railway Police served the interest which was often opposed to that of the railway company. But they expected that cordial relationship between the Government Railway Police and the railway administration should be well established, as they attached considerable importance to the maintenance of the fullest co-operation between the Government Railway Police, the railway administration and the district police force. In their anxiety to ensure this co-operation,

they framed a set of rules in one of the appendices of their Report. In respect of organisation, recruitment, pay and training, they did not throw much light but wanted that the pattern recommended for the district police should be adopted with a separate Superintendent in charge. As for yardsticks, they recommended that the Superintendent of the Government Railway Police should not have more than a length of 1,500 miles in his charge; the jurisdiction of a police-station should not exceed 100 miles, and its strength should be such as to allow a constable or a Head-constable to travel in every passenger train that passed within its jurisdiction. The overall control and supervision as well as the general administration was to vest in the Deputy Inspector-General, who was to be the head of the Criminal Investigation Department and was to be styled as Deputy Inspector-General, Crime and Railways. This was considered essential as one officer in administrative charge of the railway police districts would make co-operation with the railway administration easier and the control over the entire railway police more effective. The Indian Police Commission also said, "The relations of a Superintendent of Railway Police with the Magistrates of the districts through which his charge runs must necessarily be less intimate than those of an ordinary District Superintendent, and it may be desirable to amend section 4 of the Police Act (V of 1861), which contemplates the appointment of only one District Superintendent for 'the administration of police throughout the local jurisdiction of the Magistrate of the district', and places that officer 'under the general control and direction of such Magistrates'."¹

Since the last Commission sat, several new problems have confronted the administration. As an aftermath of World War II and the disturbed conditions that prevailed during the partition of India, crime on the railways, as elsewhere, rose steeply and the Government of India were particularly concerned over the mounting liabilities of the railway administration for compensation claims paid in respect of loss of goods entrusted to the Indian Railways for transport. In 1952, the Director, Intelligence Bureau, Ministry of Home Affairs, was asked to enquire into the various problems and suggest remedies. He conducted an exhaustive enquiry and submitted a comprehensive report. The principle of the railway's liability in respect of goods entrusted to them for transport was reiterated in this report and it was suggested that the watch and ward organisation should be reorganised and the enquiry into cases of misappropriation and criminal breach of trust made more incisive and broad based. It was essential that there should be effective co-operation between the various railway administrations and the police forces of the States and that the responsibility with regard to control and investigation of railway crimes should be effectively shared by the railway police and the district police. The Commission are generally in agreement with these views.

80. The present system is essentially the same as was introduced after 1902 and the Commission consider it to be on the whole sound.

Organisation.

There has, however, been one major deviation from the system recommended by the previous Commission. The administrative charge of the Government Railway Police was taken away from the Deputy Inspector-General of Police, Criminal Investigation Department, and vested in the Range Deputy Inspectors-General of Police. Many witnesses have urged that the previous system was better and the Commission are in agreement with this view. In order to deal with organised railway crimes which have ramifications extending beyond the jurisdiction of a district or a range and frequently even across the boundary of a State, it is essential that the control should vest in an officer who has jurisdiction over the entire State and has the necessary facility of communication with other States. It will also help better co-operation between the districts and the railway administration. The Commission have, therefore, recommended that the administrative charge of the railway police districts should again vest in the Deputy Inspector-General of Police, Crime and Railways.

81. At present, there are two railway police districts, one with headquarters at Muzaffarpur, having jurisdiction over the North Eastern Railway and North-East Frontier Railway and the other at Patna, controlling the Government Railway Police of the Eastern Railway and the South Eastern Railway which serves South Bihar and Chotanagpur respectively. Before the separation of Orissa from Bihar, police work of the Bengal-Nagpur Railway, now called the South Eastern Railway, was in charge of a Superintendent of Police with headquarters at Kharagpur. This post was abolished on the separation of Orissa from Bihar and the South Eastern Railway Police amalgamated with the Eastern Railway Police. The post of a Deputy Superintendent of Police with headquarters at Chakradharpur, working under the control of the Superintendent of Railway Police, Patna, was created to look after the police work of this railway. In view of the rapid industrialisation of the areas served by this railway and the fact that the control of the Superintendent Railway Police, Patna, over these areas is remote, the Commission recommend that a third railway police district under its own Superintendent should be created with Ranchi as its headquarters. The rise in the volume of passenger and goods traffic is so rapid and the length of railway track is increasing so quickly that the creation of this railway district is more than justified.

82. The Superintendents of the Government Railway Police should each be assisted by an Assistant or Deputy Superintendent of Police at the headquarters. The Crime Bureau, set up in 1955, should continue to assist in collecting and distributing information about railway crimes. To this Bureau should be attached some investigating officers having specialised knowledge and experience of railway crimes and trained in the Criminal Investigation Department. At present the railway police districts do not have a separate armed reserve but armed police for assisting to check ticketless travelling have been sanctioned by the Government of India. The Superintendents Railway Police have to request for reinforcement from neighbouring districts or military police units. These deputations are quite frequent for organising drives against alarm chain pulling, ticketless travelling, and affording protection to vital installations. The Commission, therefore, consider the present arrangement unsatisfactory and recommend that every railway police district should have an armed reserve consisting of a striking force of 50 constables and the necessary complement of officers. The armed police sanctioned by the Central Government will merge into it. The set-up of the headquarters of the railway police districts should generally follow the pattern of the organisation of the headquarters of the district police. At present, some District Prosecutors and Assistant Prosecutors are sanctioned for advising the Superintendents Railway Police in the prosecution of cases. The actual prosecution of railway cases is, however, conducted by the prosecuting staff of the district police. In the view of the Commission this arrangement should not be disturbed. Whereas the responsibility for prosecution of railway cases should continue to be with the prosecuting staff of the district, an Inspector may be posted to the Government Railway Police Offices for the purpose of liaison with the Police Court Offices.

83. A railway police district is divided into police circles and police-stations. It has been suggested by some witnesses that the jurisdictions of railway police circles and police-stations should not cut across the limits of revenue subdivisions and districts. It appears to the Commission that such a scheme would be unnecessarily expensive and, therefore, they accept the present delineation of the jurisdictions. They do not favour any change in the organisation of the railway police circles except that every circle should be held by a Chief Inspector. Normally, a railway police-station should not exceed a length of 100 miles of the railway track but in areas where there are certain problems due to heavy traffic and high incidence of crime, police-stations with smaller jurisdictions may be established. At present, the expression "Railway Limits" includes railway fencing of the line and all stations, goods-sheds, station-yards and buildings on railway lines. It also includes all ghats and ferries but not lands acquired for blocks or residences for railway servants. The limits of station-yards are confined to the railway lands lying between the two distant

signals of a railway station. The Commission consider this definition of "Railway Limits" to be appropriate and do not propose any change.

84. The recommendations in regard to the officering of the police-stations of the district should cover the officering of the police-stations of the railway. An Inspector should hold charge of a railway police-station and the more important of them should be placed in charge of Inspectors in the senior scale. The posting of one or more Assistant Inspectors should be determined on the work load. The "Order Police" wing of every railway police-station should be so augmented as to ensure duty round the clock at the headquarters of every such police-station. Separate staff should also be provided for the "Flying Squads". The value of these squads lies not so much in the crimes they detect but in the sense of security that they give to the travelling public and the deterrent effect they have on the criminals because of the element of surprise with which they work.

85. Complaints have been made before the Commission that the control and the regulation of vehicular traffic in the front-yards of the bigger railway stations leave much to be desired. The Commission fully appreciate these complaints and recommend that trained traffic policemen should be sanctioned for regulating vehicular traffic at the bigger railway stations.

Some witnesses have stated that the present strength of the constabulary in the railway police is wholly inadequate and, therefore, stations are not properly watched and the escorting of passenger and goods train is neglected. The Commission hope that these complaints will not be valid after the reorganisation of the railway police on the basis of the above yardsticks. Once the investigating staff and the Order Police are reinforced and "Flying Squads" and the traffic police properly organised, the railway police should be able to give full satisfaction to the travelling public.

86. The railway policemen need not constitute a closed cadre and, as at present, all the personnel should be found from the general police Government Railway Police personnel cadre. Special care should, however, be taken in and conditions of their service. selecting the officers. Several witnesses, including one or two officers serving in the railway police, have complained before the Commission that some of the personnel are oblivious of their responsibility with regard to the movements of criminals and have even alleged that they are unusually friendly with them. If these complaints are true, it is all the more necessary that those who are to be posted to the railway have to be specially selected. They must have keen sense of duty and develop a spirit of service, for they are often called upon to assist the passengers, some of whom are visitors from foreign lands. The scheme of separation of the district armed and unarmed police suggested by the Commission will ensure that the constables who are posted to the railway (unarmed branch of the police) have the necessary academic qualification and the requisite training to discharge their responsibilities adequately.

It has also been suggested to the Commission that the posting of police officers to the railway is unpopular. The Indian Police Commission of 1902-03 had recommended a small special allowance to all Government Railway Police officers. The Superintendent of Police gets an allowance @ Rs. 150 per mensem but no allowance has been allowed to the other officers under him. The Commission recommend that all officers including the constables posted to the railway should be given a special allowance at the rate indicated later. Some of the railway police officers have represented that they are completely out of pocket whenever they have to undertake journeys outside the railway limits. They are not entitled to get any incidental charges while performing journeys by rail nor are they to get any mileage for journeys by road. This is indeed unsatisfactory and the Commission

recommend that the rules governing payment of travelling allowances to railway police personnel should be suitably revised.

The conditions of service on the railway are also adversely affected due to lack of housing facility. The Commission during their tours, were greatly concerned to see that in certain railway police-stations, constables were made to live in railway goods wagons. They strongly advise Government that a committee consisting of the Deputy Inspector-General, Crime and Railways, and senior railway officers of the three railway systems should be constituted immediately to draw up a plan for the construction of quarters and barracks. The building programme should be taken up in a certain order of priority without any further delay. A special request should perhaps be made to the Ministry of Railways in this regard.

87. It has been brought to the notice of the Commission that fullest co-operation between the railway and the district police forces does not exist and their relationship at the lower levels is generally strained. As both the district and the railway police are in a position to offer valuable assistance to each other, the Commission are unable to appreciate this lack of confidence and cordiality. They consider it essential that friendliness between the railway and district police should be inculcated, particularly at the circle and the police-station levels. In their anxiety to ensure this co-operation, Government have framed comprehensive rules in the Police Manual and one of these rules requires that a ' Minute Book ' should be maintained, at all railway police-stations and such of the district police-stations through the jurisdiction of which the railway passes. All requests and suggestions received from either the district or the railway police are to be entered in this book which is required to be inspected frequently by superior police officers of both the railway and the district police. The Commission have been informed that this book is not maintained properly and that if the inspections by both the Superintendent Railway Police and the Superintendents of the districts are made frequently, effective co-operation could be ensured. It is, therefore, the desire of the Commission that this ' Minute Book ' should be properly maintained and frequently inspected. Another rule provides for free exchange of information between the district and the railway police. The railway police are required to ask for the co-operation of the district police when any serious crime is reported. In times of emergency, the district police are required to act in the absence of the railway police, and the district police, while so employed within the railway limits, are required to work under the orders of the senior officer of the railway police. These are the rules which should always ensure efficient and better co-operation. The Director, Intelligence Bureau, while enquiring into the causes of rise in railway crimes also examined this matter. The Commission agree with his views that the responsibility of the district police for giving fullest assistance to the railway police in the prevention, detection and prosecution of crimes should be properly fixed. In order to ensure necessary co-operation and intimate contact between these two police forces, the Commission suggest that the Superintendent Railway Police, should be notified as Additional Superintendent of Police of all the districts through which his jurisdiction passes and, similarly, the District Superintendents should be notified as Additional Superintendents of the Government Railway Police. Both of them should be required to inspect district and railway police-stations for the purpose of satisfying themselves that there exists the fullest co-operation between the two forces for ensuring effective surveillance over bad characters, and efficient investigation and prosecution of railway crimes. The inspection note will not issue directly to the post inspected, but should first be sent to the Superintendent concerned for appropriate action on the defects, if any, pointed out in the inspection note. The Commission hope that such inspections will be conducted in the proper spirit and should not give rise to any friction nor should they, in any way, undermine the authority of the one

or the other Superintendent. If necessary, adequate departmental instructions may be framed to guard against any friction or misunderstanding and to ensure greater efficiency in the prevention and detection of crime. The instructions should make it clear that the inspections suggested above have a limited purpose.

88. A very substantial evidence has been laid before the Commission to indicate that there exists a growing feeling of insecurity amongst the travelling public. It may be recalled that the alarming increase in crime on the railways had attracted the notice of the Government of India in 1952 and the Director, Intelligence Bureau, was requested to conduct an enquiry into this problem and to suggest suitable measures. The Director, Intelligence Bureau, referred to the Report of the Railway Police Committee of 1921 which had fixed the responsibility of the railway administration for protecting the goods both in the yard and in transit. The Commission are in agreement with the suggestions of that Committee and the recommendations of the Director, Intelligence Bureau. The various railway administrations have to shoulder the responsibility as carriers of goods; and, for preventing thefts and pilferage of goods, suitable preventive and protective measures have to be adopted by them from time to time.

The responsibility of the railway administration should not, however, detract the police from their responsibility under section 23 of the Police Act. Crime on the railways as elsewhere had reached its peak in Bihar in 1952. Though there has since been a steady improvement, the overall picture of crime is far from satisfactory, particularly when the trend of serious crimes has remained almost stationary. The Commission have been informed by witnesses, including the officials of the railway police, that the crime problems that engage the railway police are (i) theft of telegraph wire, (ii) tampering with railway signals and tracks, and (iii) offences against property and persons at platforms and in running trains. Some witnesses have also explained to the Commission that quite often, thefts from goods trains, while berthed in the yards, are converted into running goods train theft at the instance of some interested subordinate railway officials. Similarly, the police on some occasions make an effort to include some running goods thefts into yard thefts. Regarding crime against persons and property reported from passenger trains, the Government Railway Police officials have informed the Commission that their greatest difficulty has been to secure the attendance of the victims, who are generally reluctant to interrupt their journey. The crime of pocket picking is believed to be committed in an organised manner and strong suspicions have been expressed about the complicity or connivance of the railway police. The large-scale travelling without tickets and the growing incidence of alarm chain pulling for stopping trains at unauthorised halts have considerably accentuated the existing feeling of insecurity. Naturally, therefore, there is a very strong demand for adequate security measures. The various suggestions made by the witnesses include, (a) more effective co-ordination between the Railway Protection Force, the Government Railway Police and the district police; (b) eradication of corruption that exists at certain levels of the railway administration and the railway police; (c) intensive police vigilance on railway platforms; (d) proper and adequate escorts for passenger and goods trains, particularly at night; (e) introduction of corridor trains; (f) provision for automatic electric-locking devices, searchlights on the flanks of the engines and Guards' vans to prevent criminals from disappearing in the darkness; and, portable wireless sets for facility of quick communication with railway stations and the railway police.

The Commission have given these suggestions their most anxious consideration and they fully appreciate the anxiety of the railway passengers for security of their persons and property. Complaints have been received to show that information regarding commission of any such crime is not quickly transmitted over the railway control telephone and the provisions of Police Manual rule 488(b) are generally disregarded by the railway staff. The Commission cannot adequately condemn such an attitude. They are in no doubt that no

effort should be spared for ensuring absolute security and peace of mind to the people who undertake railway journeys or send their goods through trains. The Commission note with satisfaction that some suitable measures have been taken by the railway administrations and the police to prevent the various forms of crime. The Commission are also informed that steps have been taken to secure compartments and wagons against intrusion of criminals. The Conductor Guards and the Travelling Ticket Examiners have special instructions to maintain a look-out for suspicious persons on platforms and in trains; armed escorts of the Railway Protection Force are detailed to escort goods trains in crime affected areas; track patrols are organised to prevent interference with signals and tracks and armed pickets are stationed at vulnerable points, especially, at outer signals. Measures have also been taken by the railway administration for preventing alarm chain pulling and ticketless travelling. Educative campaigns have been undertaken to seek co-operation of the people and to discourage students from indulging in such anti-social activities.

The various anti-crime measures taken by the railway administrations are clearly indicative of their anxiety to ensure safety of goods and persons on the railways. The Commission hope that they would continue to intensify their anti-crime measures, including patrolling of the railway tracks and watching of signals. So far as the responsibility of the police is concerned, the Commission are of the view that the most serious deficiency in their crime prevention programme is the poor standard of surveillance exercised on railway criminals. As railway criminals operate on moving trains, it is ordinarily difficult to locate their identity and, therefore, it becomes still more difficult for the police to exercise effective surveillance on them. The Commission have already suggested that all junctions and important railway stations should be watched round the clock by officers and constables of the Government Railway Police. Some of the important railway stations affected with crimes should be watched by officers of the Criminal Investigation Department who should also occasionally travel on passenger trains affected by thefts. Furthermore, the district police should continue to depute constables in plain clothes to selected stations for watch. If most of the railway stations are covered by deputations from the Government Railway Police, the Criminal Investigation Department and the district police, the Commission hope that a very effective watch can be maintained on criminals lurking around the railway platforms, waiting rooms, railway restaurants and railway stalls. The Commission have already recommended an organisation of "Flying Squads", based on all strategic stations. These squads should travel by such passenger trains which run through notoriously criminal areas, particularly during the night. When the train halts at a station, both the platform side and the off side should be properly patrolled. The present rules¹ for watching all bad characters both by the railway and district police, for exchange of constables to enable the railway police constables to know the railway criminals, and exchange of list of criminals between the district and the railway police are, in the view of the Commission, sound and should be rigidly enforced. The Commission would repeat that the district police should be made fully aware of their responsibility with regard to the incidence of railway crime reported from their areas, and the surveillance over railway criminals. They hope that the Crime Bureaux attached to the railway police districts will be of considerable assistance in exposing the railway criminals and suspects and in maintaining close liaison with the Crime Bureaux of the districts.

The railway administration and the police should frame a co-ordinated programme for counteracting the menace of ticketless travelling and alarm chain pulling. The various measures adopted so far have had but partial success. Planned measures for education, especially amongst the students, are likely to yield better results. These measures should, however, be combined with more frequent and intensive police drives under magistrates. The armed reserves which have been proposed for the railway police districts should be

1. Rules 505, 506, 507, Chapter XVII, Police Manual.

utilised for such drives as also for escorting trains through areas affected with serious crimes. Corridor compartments in the higher classes in which crimes occur frequently will offer great security, if attendants and occasionally policemen, travel in the attendants compartment. Another suggestion that the 'Guards' vans should be equipped with small safes where sealed bags of cash and valuables could be kept by the passengers on consideration commends itself to the Commission who in turn commend it to the Railway Ministry through the State Government.

The Commission hope that the track patrols and armed pickets organised by the Railway Protection Force should normally ensure safety of the railway track and the signals. If any area gets particularly affected with this form of crime, these patrols and pickets should be reinforced by deputations from the district and the railway police. Assistance of the Gram Panchayats should also be invoked and, if necessary, use made of clause (b) of section 42 of the Code of Criminal Procedure. For preventing theft of telegraph wire, the district police should take complete responsibility and, as and when necessary, the provision of the section quoted above utilised.

89. Prevention of crime is always dependent on the result of investigation. The standard of investigation of railway crime has been said to be extremely poor and the Commission share this view. These investigations not only require careful handling but also some technical knowledge and a clear idea of the working of the railway administration. The Commission, therefore, desire that all officers posted to the railway police districts should be made to undergo a constricted course of training in order to acquaint themselves with the railway set-up. It is also essential, in the view of the Commission, that the investigation of organised railway crimes, which have wide ramifications, requires specialised treatment. The rising incidence of serious cases of murder and theft of property from running trains has caused considerable alarm. The confidence of the travelling public cannot be restored unless their investigations are thorough and efficient. The Commission have, therefore, recommended that with every Crime Bureau, specialised investigators according to work load should be attached. In addition, the Deputy Inspector-General of Police, Crime and Railways, should have a squad consisting of trained officers to investigate all serious railway crimes, including cases of derailment and sabotage. The existing rules¹ for investigation of cases of accident do not require any change. In all such cases, the railway authorities must ensure that the nearest railway and district police-stations are informed by the quickest means possible and invariably allowed to travel by the first relief train.

The investigation of all cases of dacoity and burglary occurring in railway colonies or quarters, whether within or outside the limits of the station yard, should be the responsibility of the district police. When any such case is reported, it should be investigated by the district police-station concerned. If such investigations add considerably to the work of a district police-station, the necessary staff should be found for it in accordance with the yardstick already suggested.

It has been pointed out that quite often the investigating staff of the Government Railway Police is called upon to register and investigate cases of "shortage" or missing goods. It is also said that information about such cases is lodged with considerable delay. The Commission desire to reiterate the recommendation of the Indian Police Commission of 1902-03, vide paragraph 112 of their Report. The police need not interfere in such cases unless they have reasons to suspect the commission of a cognisable offence.

1. Appendix 29 and rules 508, 509 and 510 of the Police Manual.

90. The railway police cases are prosecuted by the district prosecuting staff. The extracts from 'Daily under-trial case reports' are sent to the Superintendents Railway Police and intimations of results of trials and appeals are sent to the Inspectors of the railway police circles. The Superintendents have a feeling that railway police cases are not given adequate attention by the district prosecuting staff. It has been suggested that the railway police districts should have their own prosecuting agency. The Commission are of the view that such a scheme would be both expensive and inexpedient. The Superintendents Railway Police should be required to inspect the District and Subdivisional Police Court Offices for the purpose of satisfying themselves that the prosecution of railway police cases is properly conducted and the prosecutors are timely and adequately briefed. The Inspector appointed to assist the Superintendent in this regard should be frequently deputed to various Police Court Offices for liaison work and made to watch trials of the more important cases.



CHAPTER VIII

POLICE ORGANISATION IN CITIES

91. Whereas the police organisation in the rural areas of India from ancient time was based on the traditional system of local responsibility, a separate system was designed for towns where whole-time regular and salaried police were employed. One gets but fragmentary glimpses of a city police organisation in the *Artha-Shastra* of Kautilya and later in the *Ain-i-Akbari*. In ancient India, the chief of the city police was called the *Asthanik* or the *Nagraik*, and in the times of Shershah and the Mughals, he was styled as *Kotwal* and was primarily responsible for the preservation of peace, prevention and detection of crime and enforcement of morals, weights and measures, as also the rules of hygiene. The Mughal *Kotwal* also acted as a judicial officer, heard charges and passed sentences after a regular trial. The system of City *Kotwal* was continued in the days of the East India Company and Regulation XXII of 1793 directed the City Magistrate to divide the city of Patna into wards with a *Daroga* in each ward and a *Kotwal* for the whole city. This system was, however, abolished in Patna in 1814. The first *Kotwal* of the city of Calcutta was appointed as long ago as 1698. With slight variations and minor changes, this system continued till 1829 when Lord William Bentinck appointed a committee for the reorganisation of the police system of Calcutta. The post of Superintendent of Police was created under the overall charge of the City Magistrate but the Police Chief was also appointed a Justice of the Peace. It was not until 1845 that another committee recommended the adoption in Calcutta of the Metropolitan Police system of London. It was, however, not a "blind imitation" of the London system. The pattern of administration introduced by Robert Peel in 1829 did not only stand the test of time but amply demonstrated that a populous city required a somewhat different treatment from the less populous towns or villages. While tracing the origin of the police system in London, the Royal Commission "Upon the duties of the Metropolitan Police, 1906", observed in their Report that the previous system "had broken down under the strain imposed upon it by the growth of population and the modern conditions of urban life. The new structure was most suited to any city like London."¹

The introduction of the Metropolitan Police system in Calcutta and its extension to Bombay, Madras and Hyderabad was done with due deliberation, for it provided an effective police force in a compact and populous area demanding a very high standard of effectiveness and efficiency in dealing with problems which are only peculiar to big cities. Even as long ago as 1860, Sir Bartle Frere, the then Home Member of the Governor-General's Executive Council, while introducing the Police Bill, which later became Act V of 1861, expressed the hope that the Metropolitan Police system would be extended, "not in the distant future," throughout India and as completely as possible. The success of police administration in these cities obviously prompted the extension of this scheme, only recently, to the industrial city of Ahmedabad which has now become the capital of the State of Gujarat. Even in Bihar, there has always been a divergence between the police system obtaining in rural areas and that in towns. The responsibility of watch and ward in the villages devolves on the part-time rural police which do not function under a unified command while in urban areas it rests on the regular stipendiary police force working directly under its own officers.

92. A compact and specialised police organisation, with complete authority and responsibility for law and order vested in a single authority, exercising fairly wide regulatory

1. Page 9, Chapter I, of the Report.

and restrictive powers, is the essential feature of what is now commonly known as the Metropolitan Police system.

As the society is undergoing rapid changes, the movement of population from villages to towns has been most marked. Numerous places of entertainment; greater use of vehicular traffic; unprecedented congregation of floating population due to better facilities of communication even from distant places; and various other complexities of administration in urban areas, have assumed such proportions as would urgently require a police system, capable of going into action at short notice under a well-organised leadership. The leader has not only to think and act quickly but the machinery should provide such a clear line of direction that there is no risk of any confusion or delay at any level. This can be best achieved in a system where the responsibility is properly fixed on one authority who can ensure swift, effective and efficient action.

While addressing a conference of Inspectors-General in 1960, the Prime Minister of India observed that in a rapidly developing society, new problems crop up at every stage for the police to face. India was changing very rapidly and these problems could not be looked upon in the old way. The procedures, not to say of the Government apparatus, were fashioned not for a rapidly developing society but more or less, for a static society. Apart from planning, there was considerable indecision in execution, for, it took a long time due to procedure, sanctions, etc., and due to too many checks and counter checks.

These observations are more appropriately applicable to the police administration in a city where things move with such speed that any action taken as a result of protracted consultation may always be found to be too late and may sometimes be attended with disastrous results.

93. There has been sufficient evidence available to the Commission to indicate that it is essential to introduce a more compact police organisation in some of the bigger cities of Bihar. Most of the witnesses, both official and non-official, who were examined by the Commission, whether in Patna or elsewhere, strongly favoured the introduction of the Calcutta pattern of administration in the bigger cities. The Commission generally concur in the adoption of a modified form of this pattern in the city of Patna. The essence of democracy in a country, particularly like India, in the view of the Commission, is decentralisation of powers. It is obvious that when such a scheme of decentralisation is fully implemented, a new pattern of police administration will have to be woven for the cities and towns. In the bigger cities where speed becomes the essence of good administration, the District Magistrate may not always be available for quick consultation or for immediate implementation of a decision and the Commissioner of Police should be authorised to act on his own and be responsible to the Inspector-General who will be in a better position to keep Government informed quickly. He will, however, keep the District Magistrate also informed.

Without materially disturbing the present scheme, the Commission, therefore, recommend that following the Calcutta pattern a city police system in a modified form should be introduced in Patna without much delay or any great expense. They have already recommended the splitting up of the Patna district and the setting up of an independent police district for the city of Patna under the Senior Superintendent of Police. Many witnesses have urged before the Commission and that was also the view expressed by the Indian Police Commission of 1902-03 that as the city police chief has to shoulder greater responsibilities, he should be of the rank of Deputy Inspector-General. The Commission are in agreement with the idea that such an officer must be of approved, merit and sufficient seniority, but they do not consider it essential, either from the point of view of administrative expediency or due to any legal

implication, that the chief of the police must necessarily be in the rank of Deputy Inspector-General. If he is sufficiently seasoned and senior, he can easily perform all the functions that a Commissioner of Police is expected to perform. After all, there is but a slight difference in the mental make-up or the experience of a senior Superintendent and a Deputy Inspector-General for, the former attains that rank only with 2—3 years of service as a senior officer.

The Commission, therefore, recommend that the Senior Superintendent of Police, Patna, who is to take charge of the capital city should be designated as Commissioner of Police for the city of Patna and be vested with certain special regulatory, restrictive and licensing powers which will make him really effective in dealing with the anti-social elements in the society and the ever increasing problem of traffic control, not to say of the high incidence of crime against property and person.

94. It is not the intention of the Commission to recommend any material change in the powers vested in the District Magistrate of Patna under the Code of Criminal Procedure for supervision of criminal administration or in respect of such other powers that he enjoys under that Code. The Commission desire that the Commissioner of Police should exercise certain (i) regulatory, (ii) restrictive and (iii) licensing powers as enjoyed by the Commissioner of Police, Calcutta. These powers, the latter exercises under the Calcutta Police Act and the Calcutta Suburban Police Act, section 144 of the Code of Criminal Procedure and the rules framed under the Indian Arms Act, the Petroleum Act, the Carbide of Calcium Act, the Poisons Act, the Explosives Act, the Dramatic Performance Act, the Cinematograph Act, the Public Amusement Act, the West Bengal Cinema (Regulation) Act and the Fire Works Act. The various restrictive, regulatory and licensing powers enjoyed by the Commissioner of Police, Calcutta, under the Calcutta Police Act and the Calcutta Suburban Police Act cannot be entrusted to the Commissioner of Police, Patna, without a special legislation. The Commission have already advised that the desirability of introducing any such legislation should be considered only after the experiment has succeeded and it is decided to adopt the city police system on a permanent basis. For the present, the Commissioner of Police of the city of Patna should to the extent possible and desirable, be vested with such legal powers which fall within the purview of the rule-making powers of Government under the various minor Acts. Following the analogy of the Superintendent of Police in charge of the Anti-Corruption Department, who has been notified as a magistrate of the first class under sub-section (2) of section 12 of the Code of Criminal Procedure and Additional District Magistrate for the whole of the State under sub-section (1) of section 12, the Commissioner of Police can be similarly notified for exercising powers in the city area. It may be clarified that the powers of the Commissioner of Police under section 144 of the Code of Criminal Procedure will be restricted for taking action to prevent a breach of the peace. In accordance with sub-sections (4) and (5) of section 144 of the Code, the District Magistrate shall have the power to rescind, modify or allow any order passed under this section, either on his own motion or on the application of any person aggrieved. As for the minor Acts, there should be no difficulty in vesting necessary powers in the Commissioner of Police under the rules of the Motor Vehicles Act, the Indian Arms Act, the Explosives Act, the Cinematograph Act, the Dramatic Performance Act, the Explosive Substances Act, the Petroleum Act, the Poisons Act, the Suppression of Immoral Traffic Act and the Bihar Regulation of the Use of Loud-Speakers Act.

95. The Commission have to recommend a material change in the scheme of disciplinary powers that are to be exercised by the Commissioner of Police and also in regard to the organisation and set-up of the force under him. One argument put forward in favour of the Commissioner of Police, Patna, exercising greater disciplinary powers is that derived from the admitted importance of unity

of action in all police work in a city and it is urged that the best way of securing this is through unity of control vested in him. Agreeing with this view, the Commission recommend that the control of the Range Deputy Inspector-General should be removed and the Commissioner of Police should be vested with all the disciplinary powers that are exercised by the former. This can be achieved by merely framing the necessary rules under section 12 of the Indian Police Act. Again, keeping the unity of control intact in the Inspector-General, the Commissioner of Police, Patna, unlike the Commissioner of Police, Calcutta, but like the Commissioner of Police, Madras, should be made subordinate to the Inspector-General.

96. It has already been recommended that a town police-station should not control large tracts of rural areas and following from this recommendation, the charge of the Commissioner of Police, Patna, will include the entire city served by the Patna Municipal Corporation and such of its environs that fall within a depth of about two miles of the Corporation limits.

97. It has been suggested by many witnesses that the city police force should have a separate and closed cadre as in Calcutta. Due to the necessity for systematic co-operation between the various branches of the police force of a State and especially because of the inter-dependence of police work within a city and its environs, the Commission hold the considered view that absolute separation of the city police force from the rest of the State Police is not only inexpedient but undesirable. They have, therefore, to reject this suggestion. On the other hand, it is manifestly desirable that the powers of the Commissioner of Police in respect, especially of discipline and control ought to be much larger than those of a Superintendent and the officers in the city should not be transferred frequently but retained for a reasonable time in order to enable them to become acquainted thoroughly with the problems of a city administration.

The prevention and detection of crime, the control of traffic and its regulation and the maintenance of peace and tranquillity as also effective enforcement of law, are some of the more important duties that devolve on the police in a city and all this necessitates swift and effective action. These duties also require a specialised approach, direction and execution. To ensure this, the police set-up in a big city has to be slightly different from that obtaining in the districts.

98. The Commissioner of Police will require adequate assistance at his headquarters to enable him to discharge his heavy responsibilities. The Commission have considered the various types of organisations that would be suitable and on a careful examination of them, are of the view that the organisation best suited for the city of Patna would be to divide the police headquarters into three divisions to be called (i) the Headquarters Division, (ii) the Crime Division and (iii) the Traffic and Patrol Division. Each of these divisions should be placed under an officer of the rank of Assistant or Deputy Superintendent, to be designated as Assistant Commissioner of Police and exercising the same disciplinary powers as are vested in a Superintendent of Police of a district. This can also be achieved by departmental authorisation under section 1 of the Indian Police Act, as was done in the case of the Assistant Superintendent of Police in charge of the Bengal and North Western Railway, now called the North Eastern Railway. The appeal against orders passed by the Assistant Commissioners in all disciplinary cases will lie with the Commissioner of Police.

99. The Assistant Commissioner in charge of the Headquarters Division will be responsible for, (i) establishment including accounts, (ii) discipline, training and management of the armed police reserve, (iii) police transport and (iv) fire service. The branch dealing with matters connected with establishment and accounts will

been indicated earlier that the overall responsibility for organisation and efficiency of patrols will vest in the Chief Inspector in charge of the Patrol Division.

105. If the work load justifies it, a second Subdivisional Magistrate for Patna Sadr with headquarters at Patna may be appointed for all the City Magistrates. police-stations outside the jurisdiction of the central police-station, West. The present Subdivisional Magistrates, Patna Sadr and City will then be designated as City Magistrates, West and East, respectively. The latter will continue to have jurisdiction over the existing police-stations.

106. The Commission then proceeded to consider the organisation for the other cities in the State. They are of the view that Jamshedpur having a fairly big concentration of population and being at present the most important industrial city in Bihar and perhaps one of the most important in the whole country, its problems are complex and varied, requiring quick police action. The Commission consider that the police organisation recommended for the city of Patna should be admirably suitable for Jamshedpur also but for the present, the status or the powers of the Superintendent of Police, Jamshedpur, need not be changed. Jamshedpur town has five police-stations. It is recommended that it need have only two divisions and one central police-station at Sakchi and the five police-stations as also all the town out-posts should remain intact except that rural areas should be excluded from the jurisdiction of the police-stations. The Superintendent of Police should have the assistance of two Assistant or Deputy Superintendents, each controlling the two divisions.

107. As regards cities, where the population is above 75,000, there should be only one police-station for the urban area and its environs and it should be placed in charge of an officer of the rank of a senior Inspector. The Inspector in charge of the Information Room should be responsible for supervision of patrols of the out-posts. For supervising the work of traffic police, there should be an Inspector in the junior scale, irrespective of the strength of traffic constables which, according to the scale given in Chapter VI, should ordinarily determine the requirement of officers for traffic police in towns.

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CHAPTER IX

ORGANISATION OF THE SPECIAL POLICE FORCES

A. POLICE COMMUNICATIONS—(i) POLICE RADIO; AND (ii) TELEPHONE.

(i) Police Radio

108. There is an increasing dependence on radio communication for efficient administration. Land lines of communication may fail but wireless has proved to be a sound communication system ensuring maximum dependability, accuracy and speed.

The Police Radio organisation has now grown into a sizeable branch from a very humble beginning with 10 wireless sets and 13 operators in 1944. In 1945 a separate wireless branch was created with 9 Sub-Inspectors, 9 Assistant Sub-Inspectors and 14 constables.

This means of communication was found to be extremely useful during the postal strike in August, 1946, when all State telegrams as also ten thousand telegrams of the Posts and Telegraphs Department were cleared through the Police Radio grid. Its usefulness was again demonstrated during the communal disturbances of November, 1946. In 1947, the Ministry of Home Affairs sponsored a conference for co-ordinating the Police Radio system of all the States and as a result thereof a net-work of inter-State wireless system was organised. In 1951, radio-patrol cars based on the Information Room were introduced in Patna town. Full use of the Police Radio was also made during the unprecedented floods in 1954. An experiment in radio-telephonic communication was made in the same year and regular communication between the police headquarters at Patna and the four range headquarters was established in 1957.

There are elaborate departmental instructions regarding the type and classes of communications that are to be transmitted over the wireless grid and they do not require any modification.

109. The organisation of the State Police Radio grid consists of 99 stations. The Police Radio headquarters at Patna has 5 control stations, one for each of the four ranges and one for the military police units. There is also a workshop, a store section and a wireless training school attached to the headquarters. They are located in temporary and dilapidated barracks of the old Phulwari Camp Jail. The district and subdivisional headquarters, as also seven police circles and three police-stations are on the grid. There are 4 VHF (Very Frequency) sets for radio-patrol cars and three mobile stations.

A large number of witnesses, both official and non-official, seem to be of the view that the Police Radio organisation should be extended to all police-stations. They have also suggested that radio-patrol cars should operate in the cities. The Commission appreciate these suggestions and recommend that the Police Radio organisation which has been helpful in the maintenance of public order and during natural calamities should be suitably enlarged. A time may come when most of the police-stations, as in some of the Western countries, will have to depend more and more on the wireless grid for even normal work. The Commission, for the present and mainly on grounds of economy, recommend that all the police-stations in the industrial areas and some of the outlying police-stations in the districts may be linked to the grid. In the latter case, *ad-hoc* decisions will have to be taken. It will also be useful in the view of the Commission to make permanent, the radio-telephony communication between the Inspector-General and the Deputy Inspectors-General.

In making the above recommendations, the Commission have kept in view the Report of the Technical Standards Committee set up by the Government of India in 1959. This

Committee has recommended that the Police Radio organisation of a State should be classified as follows :—

- (a) State Headquarters Control Station;
- (b) District Headquarters Station;
- (c) Out-stations :
 - (i) Static out-station
 - (ii) Mobile out-station
 - (iii) Transportable out-station

The Committee has further suggested that the headquarters should have 5 branches, namely, (a) office, (b) communications, (c) training, (d) stores, and (e) maintenance. The out-stations should have also two branches dealing with (a) supervision and (b) operation and maintenance. The Commission advise that these recommendations should, as far as possible, be kept in view while effecting the necessary organisational changes in the establishment of the State Police Radio.

110. When the State Police Radio organisation was first set up in 1944, suitable police officers were drafted from the districts. It was declared a closed cadre in 1952. At present, one Assistant Sub-Inspector and two literate constable operators work a single station. At the district headquarters, where two stations are located, one Assistant Sub-Inspector and four literate constable operators manage both the stations. In the Bihar Military Police units, Assistant Sub-Inspectors have been replaced by Havildars. The strength of the State establishment consists of one Deputy Superintendent, 6 Inspectors, 20 Sub-Inspectors, 96 Assistant Sub-Inspectors, 185 literate constable operators and 39 messenger orderlies. No technical staff has been separately provided for the workshop. The personnel have been recruited under the Police Act (V of 1861) and they draw the same scales of pay as are admissible to the corresponding ranks in the general police cadre. They are, however, entitled to a graduated technical allowance and the Inspectors and the Deputy Superintendent draw special pay. One of the Assistants to the Inspector-General of Police is in administrative charge of the entire establishment.

Majority of the witnesses and the Bihar Police Association favour a closed cadre for the Police Radio personnel. Various other suggestions have been made for suitably augmenting the scale of staffing at different levels. Some of the witnesses including the Inspector-General of Police have also emphasised that the Police Radio personnel should be recruited under the Police Act. This suggestion is, perhaps, due to their anxiety to ensure that the personnel of such an important service are made amenable to police discipline. While urging that the recommendations of the Technical Standards Committee, 1959, be accepted, the Inspector-General has suggested certain variations; for example, the existing designations of the various ranks should be retained. The Commission agree that all the wireless personnel should be recruited under the Police Act (V of 1861). The police designations for the supervisory ranks down to the Chief Inspector should also be retained. For the other posts, the designations recommended by the Technical Standards Committee should be accepted.

The Commission have carefully considered the other suggestions of the Committee and are in agreement with the strong view expressed before them that a reorganised Police Radio establishment should have an officer of the rank of Superintendent of Police to take charge of it. Other States with much smaller grids have already appointed Superintendents of Police to take charge of their Police Radio organisations. The Commission are further of the view that it is not necessary to have two Superintendents of Police and three officers

of the rank of Deputy Superintendent of Police as recommended by the Technical Standards Committee; one Superintendent of Police assisted by a Deputy Superintendent of Police and a Chief Inspector should be able to administer the entire establishment efficiently. The Superintendent of Police should draw pay in the scale sanctioned for a Superintendent of Police of the Indian Police Service and may even belong to that cadre, but this post need not be encadred in the Indian Police Service. He should draw a special pay of Rs. 200 per month. If he is an officer of the police cadre, his period of posting should be at least for five years and he should be fully trained in this kind of work.

The overall administrative charge of this branch should vest in the Deputy Inspector-General, Military Police. The cadre up to the rank of Deputy Superintendent of Police but excluding the Chief Inspector should be closed. They should possess certain technical and educational qualifications as recommended by the Technical Standards Committee. The Commission are of the view that the scale of staffing and the scales of pay below the rank of Chief Inspector as recommended by the Technical Standards Committee of the Central Government should be readily accepted and the recommendations implemented without much delay. As for the creation of new stations, this may have to be phased, as much would depend on the availability of equipment and trained personnel. The Deputy Superintendent and the Chief Inspector of Police should, however, get the pay in the scale sanctioned for the corresponding ranks in the State. The former should get a technical allowance of Rs. 100 and the latter a special pay of Rs. 75 per month. It has been brought to the notice of the Commission that the system of graduated scale of technical allowance sanctioned in 1952 is unpopular. The Commission hope that the present discontentment will disappear if the scales of pay and special pay as recommended by the Technical Standards Committee for the lower ranks are accepted.

Lack of adequate promotion prospects also appears to have caused some dissatisfaction. It has been pointed out to the Commission that when the Police Radio establishment was first set up in 1944, Assistant Sub-Inspectors and literate constables of the same age group were recruited and the resultant age block has adversely affected the prospects of advancement of literate constables. It is also claimed that the present structure of the cadres of Sub-Inspectors, Assistant Sub-Inspectors and literate constables is not balanced and rationally constructed. The Commission hope that the adoption of the scale of staffing recommended by the Technical Standards Committee will secure reasonable promotion prospects to all ranks.

111. There is substantial evidence to show that this branch of the police, like other branches, has suffered considerably for want of accommodation. The Commission understand that a proposal for construction of buildings for the Police Radio headquarters is still pending though the site was selected and the plan approved as far back as 1953. The present accommodation of the headquarters at Phulwarisharif is, in the opinion of the Commission, unhealthy and also otherwise extremely unsatisfactory; difficulties on account of electrical disturbances are experienced and the workshop is not electrified. The Director of Co-ordination, Police Wireless, New Delhi, is reported to have pointed out in one of his inspection notes that the Central Radio Station may be deficient in times of emergency on account of electrical disturbances. The Commission desire that a phased programme of building construction should be adopted immediately to secure suitable accommodation for the radio stations and their staff.

112. The Police Radio system was started with wireless sets from the Army Disposal. The Commission have been informed that this source has since completely dried up and considerable difficulties are being experienced in securing the necessary equipment. For such a highly specialised technical branch, it is essential that the required equipment is made available by the Government of India. It will help if the recommendations of the Equipment Standardisation Committee set up by the Government of India in

1960 are examined by the department and a phased programme drawn up for adopting the necessary scales and specifications.

(ii) *Telephone*

113. The utility of the telephone system, which affords an indispensable land line of communication, can never be over emphasised for police purposes. There is now an increasing dependence on the telephone, both for internal and long distance communications. All the district and most of subdivisional headquarters are on the telephone and this has considerably facilitated police administration.

The Commission are of the view that in the bigger cities, the police should run their own Exchanges as is done in Calcutta and Madras. In Madras City, the City Police Exchange facilitates direct and quick communication among police officers and between different police units. There is another important advantage of having a network of telephones in cities as it affords the citizens a suitable means to communicate promptly with the police and to seek their assistance. In the cities of most of the Western countries, telephone booths have been installed at convenient centres in order to help any citizen to contact the police, the fire service, and the ambulance headquarters, if any assistance is needed. The Commission strongly recommend that a similar telephone system should be set up in the bigger cities and such booths erected at least in Patna, Ranchi and Jamshedpur and constables in the beats of town out-posts made to keep the key of the lock of the booth to be opened on his own or at the legitimate request of any citizen.

While all the city police-stations and most of the town out-posts are on the telephone, there are some police-stations in the rural areas, which are still without them. The Commission are strongly of the view that wherever facility for extending the telephone system is available, telephones should be installed in police-stations and out-posts.

B. POLICE TRANSPORT

114. The quality of police service and the success of many police operations are dependent on the means of transport that is provided. If speed has to be ensured in all police actions, special attention must necessarily be paid to the availability of motor transport which is now recognised to be an essential means of locomotion for any modern police organisation. Adequate provision of motor transport is also a measure of great economy as it not only increases the effectiveness of police work but also that of its limited man-power.

The necessity of providing motor transport to the District Armed Police was for the first time felt in 1952 and a few 15 cwt. lorries were sanctioned. When the military police was reorganised into battalions in 1947, every battalion was provided with 1 jeep, 18 heavy lorries and 18 pick-up vans. A sizeable fleet of motor vehicles was also sanctioned for the District Armed Police to ensure movement of half of this force at one time. One pick-up van or a 15 cwt. lorry has been placed at every circle headquarters, mainly for the movement of the armed police detachments. In this scheme of mechanisation, no provision was, however, made for a vehicle at the police-station level. Small reserves at the headquarters of the ranges and a bigger reserve at the disposal of the Inspector-General were also sanctioned.

The administrative control of the State reserve vests in one of the Assistants to the Inspector-General. A small workshop is attached to this reserve with some mechanics and fitters under a Sergeant-Major. The range reserve has the necessary complement of drivers and assistant drivers. In the district and the military police units also the scale sanctioned for the driving personnel is the same but each district or unit has been given a head-driver to take charge of their discipline and also to ensure the maintenance of the vehicles. The drivers and their assistants do not constitute a separate cadre but are part of the District Armed Police or the military police units.

115. During the tours of the Commission, both within and outside the State, the necessity of providing adequate motor transport was greatly emphasised. The frequent failure of the police to respond promptly to calls for assistance has considerably exercised the minds of the people and is clearly reflected in the strong demand made before the Commission for the augmentation of the Police Transport organisation. On account of the present emphasis on speed and the great pressure that is put on the police for getting to the scene of crime by the quickest means possible, several witnesses have urged that all the police-stations should be provided with motor transport. There is no doubt that vehicles always play a very significant role in organising raids, interceptions and patrols more efficiently. They are particularly useful in dealing with any law and order situation expeditiously and for taking prompt action in the event of a natural calamity. Several senior police officers have urged that quicker means of transport at the level of the police-station can change the complexion of the entire police administration to the extent that no other single step can do. The Law Commission¹ have also laid considerable emphasis on the necessity of providing quick means of transport to the police-station. In 1956, the conference of the Inspectors-General had set up a sub-committee to examine the scale of vehicles that should be sanctioned for the police at various levels. The conference was of the view that it was necessary to examine this matter thoroughly as the efficiency of the police really depended on the availability of motor transport. The Commission have examined the report submitted by this sub-committee in 1958. It has advocated supply of motor transport to every police-station and considerable augmentation of the strength of vehicles for other police units. This view has also been supported by many witnesses. But in view of the financial implications of these suggestions, the Commission recommend that, to start with, only the bigger police-stations should be provided with a jeep or some other suitable vehicle according to their problems, size and availability of road communication. The lack of motor vehicles is felt more keenly in the rural areas than in the urban areas. The police-stations in rural areas which are also the headquarters of police circles should use the vehicle placed at the disposal of the circle police officer and no separate vehicle need be sanctioned for them. The number of police-stations in the rural areas where the use of motor vehicles will greatly add to their efficiency will be small. A suitable motor vehicle should be sanctioned for these police-stations. Provision of motor transport at this level is mainly to ensure speedy action. The Commission desire to make it clear that such a facility should not adversely affect the normal touring of the staff of the police-station for they must know their charge intimately. For the police-stations in urban areas, separate vehicles will not be required and they can always depend on the fleet of vehicles sanctioned for the District Armed Police. Quite a number of urban police-stations will also be covered by the vehicles sanctioned for their circles. If any urban police-station requires a motor vehicle on account of its local needs, the latter should be examined and a vehicle sanctioned on an *ad hoc* basis. As vehicles alone will not ensure the required mobility, the Commission recommend that every officer of the rank of Inspector or Assistant Inspector posted to urban and rural police-stations where motorable roads exist, should be allowed to provide himself with a motor-cycle or scooter and given a maintenance allowance of Rs. 50 per month. For any journey beyond five miles of the headquarters, travelling allowance at the prescribed rates should also be permitted. These officers may be given a motor-cycle advance on request, to be recovered in easy instalments.

The Commission do not recommend any change in the scale of vehicles sanctioned for police circles. They, however, recommend that a few more vehicles should be added to the fleet sanctioned for a district. One mobile laboratory mounted on a pick-up van for every District Crime Bureau and two motor-cycles for the despatch riders are required for every district. In bigger cities, provision should also be made for one or more radio-patrol cars, some stand-by vehicles for the Control or Information Room, the central police-stations in Patna and Jamshedpur, and some fast moving vehicles for the control and regulation of

1. Paragraph 18, Chapter 34 of their Report.

traffic and for checking violations of the traffic laws and rules. Every such city should have one motor-cycle with a sidecar and another properly equipped and powerful vehicle for instituting roadside checks against overloading and overspeeding. Prisoners' vans should be provided only where jails and courts are distantly situated.

At the range level, the present reserve is adequate and no change is suggested. The number of vehicles sanctioned for the State reserve is also adequate except that the Commission consider that two powerful motor-cars should be provided for escorting and piloting, particularly important foreign dignitaries. Since a proper Crime Branch is to be created in the State Criminal Investigation Department, the Commission recommend that 2 mobile laboratories mounted on two suitable vehicles and two station wagons and a pick-up van should be sanctioned. Some vehicles will also be required for the training institutions, the Dog Squad and other Special Police organisations.

The scale of vehicles sanctioned for the military police units for the present seems to be adequate but when the financial position is easier, the scale recommended by the sub-committee appointed by the conference of the Inspectors-General should be examined as the Commission agree with it that the aim should be to make every battalion so well equipped that in the event of an emergency, the entire battalion could be moved on wheels without any loss of time. The vehicles sanctioned for the Mounted Military Police are also adequate.

In Appendix IV, the distribution of vehicles, as indicated above, has been shown in detail.

116. The scale of staffing at the rate of one driver and one assistant driver should be adequate but for the radio-patrol cars and stand-by vehicles, instead of one driver and one assistant driver for each such vehicle, there should be 3 drivers and one assistant driver so that the vehicles may be on duty round the clock, working in eight hourly shifts.

117. The existing arrangement for training of drivers and assistant drivers is not altogether satisfactory. The Commission recommend that on recruitment they should be made to undergo a constricted course of training in the proposed Traffic School. Arrangement for in-service training should be made and refresher courses designed. A police driver must know all the rules of the road and should be a perfect driver in every sense.

A large number of witnesses including the Inspector-General of Police have advocated that the staff provided for the police transport should constitute a separate cadre and not be a part of the general police cadre. The Commission are in concurrence with this view but recommend that the personnel should be enrolled under the Police Act (V of 1861) so that they are amenable to police discipline. The drivers should be recruited in the rank of constables and the head-drivers in the rank of Havildar (Head-constable) and they should get the pay scales recommended for these two ranks. In addition, they should be given a special pay at the rate of Rs. 25 per month to head-drivers, Rs. 20 per month to drivers, and Rs. 10 to assistant drivers. This will provide the necessary incentive. The market value of good motor drivers these days has increased considerably. The pay scales and the allowance that are being recommended should attract the right kind of recruit.

A substantial number of witnesses have advocated that the motor transport organisation of the police should be placed in charge of a separate Superintendent and a Deputy Inspector-General. The Commission have recommended already that the Deputy Inspector-General in charge of Military Police, Home Guards, and Wireless, should also take charge of the transport organisation. They do not agree with the view that there should be a separate Superintendent for this organisation and recommend that the Superintendent who

is to take charge of the wireless organisation should also be placed in charge of the transport branch.

118. There are three motor-launches sanctioned for the use of the police in the State.

Motor launches. The Commission are of the view that river patrols should be properly organised and for each of the patrols recommended to be sanctioned, there should be one motor-launch with one driver and one lasker. For every three motor-launches, there should be a Sarang. The State workshop should be responsible for the maintenance and repairs of these launches.

119. The Commission have been informed that the standard of maintenance of police vehicles has to improve, as, at several crucial moments,

Maintenance of police vehicles. police vehicles have been found to be mechanically deficient. The sub-committee appointed in 1956 by the Inspectors-General strongly emphasised the desirability of setting up well-equipped workshops at various levels for servicing, maintenance and repairs. The Commission are of the view that a full-fledged workshop with its own stores and equipment should be set up at the State level in charge of a specially trained Chief Inspector. This workshop should be able to undertake all the three lines of repairs and could even be trusted to do some original work. The Commission during their tours happened to visit the State Police workshop at Hyderabad and were greatly impressed with its set-up. The organisation is so big that it looks after all Government vehicles even of other departments. The head of it is an officer of the rank of Superintendent of Police. The police workshop in Bihar should, however, be meant for police vehicles only and need not have such a big set-up. It should have the necessary complement of supervisory and technical staff. The Commission recommend that the staff of the State workshop should be one Chief Inspector, one Inspector in the junior scale to take charge of the stores, one Assistant Inspector, 2 head-driver-mechanics, 14 fitters, 3 painters, 4 smith and one upholsterer. They should all be technically trained. This workshop could then not only be responsible for maintenance of vehicles as at present but should be capable of undertaking all major repairs.

At the range level, the Commission recommend that a small workshop should be set up. This workshop should only be able to undertake the first two lines of repairs and also be responsible for the maintenance of the vehicles sanctioned for the range reserve. The staff should consist of one Inspector, one head-driver-mechanic, one fitter, one assistant fitter, and one smith.

The Commission do not consider that there is any necessity to set up a workshop at the district level. A head-driver-mechanic should be sanctioned for every district and armed police unit to ensure proper maintenance of the vehicles and to undertake the necessary roadside repairs. One of the existing vehicles should be equipped as a mobile repair vehicle supplied with the necessary tools.

120. A comprehensive set of rules have already been framed to govern the use and maintenance of police vehicles. The Superintendents

Rules for the use and maintenance of motor vehicles.

and the Commandants are responsible for the proper maintenance of vehicles and to prevent their misuse. Several witnesses have complained before the Commission that these rules are not always rigidly enforced. The Commission strongly advise that, by example and precept, all senior police officers should ensure proper enforcement of these rules. The Deputy Inspector-General in charge of the organisation and the Superintendents should satisfy themselves that not only are the police vehicles efficiently maintained but that they are properly used.

The returns regarding arms and transport included in the monthly statement of the force should continue to be submitted to the office of the Inspector-General and the Range

Deputy Inspectors-General. In addition, the office of the Deputy Inspector-General in charge of motor transport should receive from every district and unit, a monthly report showing the condition of each vehicle and the expenditure incurred on account of repairs and propulsion.

Several witnesses have stated that the present system of replacement of motor vehicles is rather tortuous. The Commission recommend that a standing committee on the lines of the police clothing and purchase committee should be set up. The Deputy Inspector-General in charge of transport should be the President with the Assistant Transport Commissioner (Technical), the Superintendent in charge transport and two Assistants to the Inspector-General as members. Those vehicles which require replacement should be examined by them and their recommendations for replacement considered expeditiously and the necessary provision of funds made in the budget.

C. POLICE WOMEN

121. The enlistment of women in the police is a comparatively new development, for it is now generally accepted that certain duties in the police could better be performed by women. They will be particularly useful in dealing with immoral traffic in women and children and juvenile delinquency. These are such evils that a modern society would not like to tolerate for long. While most of these problems have a long history, the problem of juvenile delinquency is a more recent phenomenon. All these problems have assumed a special character and intensity in the context of the present economy of the country and its rapid industrialisation. They exist in a much higher degree in cities and towns where slum conditions, poor living, emotional upsets, broken homes, and neglect of children adversely affect the children and the women. India is one of the signatory countries to the United Nations' Convention for the prevention of prostitution and suppression of immoral traffic in women and children.

The establishment of a separate vigilance branch within the police force was stressed in the First Five-Year Plan but the force has found it increasingly difficult to tackle this problem without a unit of police women. The Advisory Committee on Social and Moral Hygiene, set up by the Central Social Welfare Board in 1954, emphasised the need of employment of women in the police for dealing with problems of prostitution and juvenile delinquency. The Suppression of Immoral Traffic Act enforced in 1958 requires that special police officers should be utilised to tackle the problem of commercialised prostitution. There is yet another Central legislation providing for recognised homes for women and children. The purpose of this Act is to prevent helpless women and children from falling into the hands of anti-social elements. A conference of senior police officers reported that the problem of juvenile delinquency was assuming great proportions and the incidence of kidnapping of children by inter-Provincial gangs required certain positive steps to be taken by the police. Another step recently taken was to insert section 363A in the Indian Penal Code.

The police have thus to play an important role in preventing offences in which women and children are involved. The method of approach to tackle such crimes has to be obviously different from the accepted approach employed in dealing with ordinary crimes. A greater emphasis has to be laid on the preventive aspects and the police women, if properly recruited and trained, should play an important role in this direction.

That a force of police women should be raised was a matter of controversy all over the world in the beginning of the present century and it was not until 1919 that women legally joined the police force in England. The social problems thrown up by the First World War provided an opportunity for women to demonstrate their usefulness in tackling them. "The success of women in the Services and many other spheres during the war removed the last doubts, and when immediately after the War I proposed increasing the

strength of the Women Police in London to 300, the suggestion received the immediate approval of the Home Secretary "1 thus observed the first civilian Commissioner of the Metropolitan Police of London. The present strength of the police women in London is 500. They are also employed in other advanced Western countries, but in India only nine States have so far recruited police women. Bombay, Bihar and Mysore were the first to start recruiting them in 1952.

122. The Commission examined the question of employing police women on duties which they alone could perform more effectively. The Commission do not suggest them to be substituted for policemen but for employment to perform the work which they could perform with greater advantage than men. There is considerable evidence before the Commission that they should be progressively employed for certain kinds of police duties and the Commission recommend that the existing force of one Havildar and 12 constables should be replaced by a slightly different kind of force and its strength augmented. It will, however, not be necessary to raise a large force in Bihar. If the bigger districts including Dhanbad and Jamshedpur were each given a section of nine women Head-constables under a woman Assistant Inspector the strength should be adequate. The leave and training reserve for the State should be kept in the district of Patna where the training of the police women should be made the personal responsibility of the Commissioner of Police. The lowest rank in the women's branch should not be below that of a Head-constable in order to attract the right kind of candidates.

The disciplinary control over them should vest in the Commissioner of Police as an integral part of his executive force but whenever a contingent is deputed for duty in any area, the operational control should vest in the Superintendent and the officer-in-charge of the police-station concerned.

123. The minimum qualification prescribed for women Head-constables should be Middle School certificate; those possessing Higher Secondary certificates should have preference. The educational qualification of women Assistant Inspectors should be the same as prescribed for the men Assistant Inspectors. The police women should be physically fit and be of a good personality with a minimum height of 5'1". The Commission are of the view that in order to solve the problem of housing, it may be of advantage to encourage the wives of policemen to apply for such recruitment.

124. The police women should ordinarily be assigned the following nature of duties:—

- (i) Duties in connexion with women and children reported missing, found ill, injured, destitute or are homeless or those who have been the victims of sexual offences or are in immoral surroundings.
- (ii) Recording of statements of women and children in cases of sexual offences.
- (iii) Duties in connexion with conveyance of women and children to and from hospitals, police-stations, prisons, remand homes and schools.
- (iv) Watching female prisoners or women who attempted suicide in hospital, police *hājāt*, etc.
- (v) Attendance on women and children in court.
- (vi) Searching and attending female prisoners.
- (vii) Plain-clothes duty and detective work.

D. DOG SQUAD

125. The use of dogs for police purpose is of a recent origin. The experiment, however, has been so successful that the scheme has been adopted by almost all the modern police forces of the world. The Dog Squad now forms a fairly important wing of an advanced police organisation. The first Police Dog appeared in India in the North-West Frontier Provinces as early as in 1941. Madras raised a kennel in 1951 and Bihar laid a nucleus of a Dog Squad in 1955. Since then dogs are also being used in some other States. The Armed Forces of Western countries have also found them to be useful. The Commission were much impressed to see a British Air Force film showing the " Police Dogs " in action and how they are kept and trained.

126. Informed and enlightened opinion expressed before the Commission is in favour of the enlargement of this useful supplement of the police force. There is only one trained dog at present in Bihar. Some have recently died. If dogs have to be used extensively for assistance in the investigation of crime by tracking criminals and for watch and ward, the number has necessarily to be increased. A trained dog, according to the evidence available before the Commission, is effective both for purposes of patrolling and for guarding of materials. Success in respect of tracking criminals, however, depends on many factors. A dog is able to pick up the scent if the atmospheric conditions are favourable and there are no physical disturbances to the route taken by the fugitive from justice. Though tracking and its results cannot form part of substantive evidence under the Evidence Act, the Commission agree with the views of some of the official witnesses that clues furnished by such a chase are of considerable help to the police in locating hide-outs of criminals. The use of dogs has really caught the imagination of the people and it was stated by one of the witnesses that he would like his own dog to be trained in order to prevent crime. The appearance of the dog on the scene of crime also acts as a great deterrent. Many a suspicious character has been successfully brought under police surveillance even though there might not have been good evidence to put him on trial. Statistics have been furnished to show that one Police Dog alone succeeded in catching not less than 100 miscreants in England and when the last miscreant was put on trial, the Presiding Judge observed :—

" I regret that the Court cannot communicate its appreciation to this remarkable animal. If it were possible to promote Police Dogs for performance of duty, this dog should certainly be elevated in rank."

The papers submitted to the Commission indicate that Police Dogs have been quite extensively used in Bihar. It goes to their credit that during 1958 and 1959, three cases ended in conviction in Patna, primarily due to the clues discovered by them. In two years, dogs were detailed in 179 cases, mostly reported from the district of Patna. The demand for them has become so popular and pressing that requests from all over the State have been received for the detailing of these dogs. Eighty-seven such formal requests could not be attended to due to distance and shortage in strength.

A Deputy Superintendent of Police was in charge of this squad in addition to his own duties. He has since retired and an Inspector of Police attached to the District Crime Bureau is looking after this depleted squad. The officer-in-charge of this squad has necessarily to be a lover of dogs.

The Commission, during their tour of Madras, visited the headquarters of the Dog Squad which is under the Crime Branch of the Madras City Police. The services rendered by the Police Dogs in Madras are reported to be commendable. The Madras Police claimed that a very large number of grave crimes were detected through these dogs. Most of these cases relate to house-breaking. It is remarkable that some of the sensational murder cases were also detected through them.

127. The evidence before the Commission is very largely in favour of expanding the Dog Squad. It is their desire that a squad of six animals with six handlers should be located at each of the range headquarters. The handlers should continue to be entertained in the rank of constable. The kennel should be in charge of an officer of the rank of Assistant Inspector. There should also be a State Reserve of six animals to be kept in the kennel of the Patna Range. The total strength of the Patna kennel should be 12 and its officer-in-charge should be of the rank of Inspector of Police (senior scale) who should also exercise supervisory control over the other range kennels of the State.

The cost involved in raising the Dog Squads is not prohibitive and the Commission are very hopeful that these squads will prove a really useful adjunct to the detective organisation of the police.

E. FIRE SERVICE ORGANISATION

128. The urgency of efficient and well-equipped fire brigade was realised during World War II and the first step taken in this direction was the establishment of fire fighting units as a part of the Air Raid Precaution and Civil Defence Organisation. Towards the end of the War, it was decided to give these fire fighting units some permanent shape and fire stations were located at Patna, Gaya, Bhagalpur and Jamshedpur. Later, a fire station was established at Muzaffarpur. The original idea was to integrate the fire fighting units with the police organisation. This idea did not materialise and it is today a self-contained organisation, but under the control of the Inspector-General of Police. The operational control vests in the Superintendents of Police of the districts where the fire service stations are located. In 1948, the Bihar Fire Service Act was passed. In 1954, the operational area of a fire station was defined; the fire fighting units are primarily intended to fight fire within the municipal limits of their headquarters but part of the equipment and personnel can be deputed outside such limits provided their services are not required within the town and that the place of deputation is connected by a good road and lies within a radius of 15 miles, the mileage restriction can be relaxed in cases of dangerous fire in large residential areas, even if they are distantly situated. Recently, the Superintendents of Police have been authorised to exercise discretion in sending these fire fighting units to any accessible place, provided one unit is always available at the headquarters for possible local outbreaks of fire.

129. The five fire stations consist of 16 units and each unit is manned by a crew of one leader, one driver and five firemen. The leader is of the rank of Havildar and the firemen and drivers are of the rank of constables. The Fire Station Officer is of the rank of Sub-Inspector of Police. To co-ordinate and supervise the work of these five fire service stations, there is a State Fire Service Officer of the rank of Deputy Superintendent of Police stationed at Patna. They are appointed under the Fire Service Act and do not have any police powers. The fire station at Bhagalpur is required to cover Monghyr and the Santhal Parganas and similarly, the fire station at Muzaffarpur has to respond to calls from the neighbouring districts.

The Commission are informed that there has been a very steady increase in calls for assistance and frequently such calls are received from the rural areas. It is clearly indicated from the evidence of the witnesses that there is a strong demand for immediate expansion of the Fire Service organisation. Among the various suggestions offered by them are that fire service stations should cover not only all towns and headquarters of districts and subdivisions, but also police-stations. Some witnesses have pointed out the necessity of allotting high priority to the industrial areas on the ground that these areas are not only populous and congested, but also suffer from greater vulnerability to the havoc of fire. The witnesses from rural areas have also demanded adequate fire fighting arrangements in order to prevent

the heavy loss of property and person to which they are at present exposed, particularly in the summer months. The Commission fully appreciate all these points of view and are in no doubt that time has come when the coverage of this organisation should be enlarged. The extent of its expansion will, however, be finally governed by the consideration of finance and the character of organisation. The Commission understand that one fire fighting unit costs Rs. 55,000 approximately and involves an annual recurring expenditure of about Rs. 10,000. In view of such a substantial initial and recurring expenditure, financial consideration has necessarily to be kept in view in making any recommendation. The question of finance is intimately linked with the character of this organisation, whether it is to be a municipalised or a State-controlled service. At present this service is controlled and financed by the State Government, but the issue whether the responsibility for fighting fire is of Government or of the local bodies has been, perhaps, engaging the attention of the State Government for some time. In 1954, the State Government had, it is reported, taken a tentative decision that the municipalities should contribute at least 25 per cent of the cost. Normally, administration of fire service should form part of the responsibility of the local bodies and any departure from the normal principle of decentralisation of responsibility and duty can be justified in a matter of this nature only if local bodies are incapable of providing fire fighting facilities. A very large number of witnesses have stated that the experiment in Local Self-Government has not been a success and local bodies have been found to be financially unsound. The witnesses have added that local bodies in Bihar do not have the resources nor the administrative efficiency to run this service. Another point urged in support of the argument is that municipalisation of fire service will result in lack of uniformity and co-ordination. Even those witnesses who believe in the principle of decentralisation have suggested that at least for some years to come, the State Government should continue to control this service. The Commission are of the view that in principle it will be sound to relieve the State of this municipal liability, but in view of the experience of the administration of local bodies, they fall in agreement with the view so strongly expressed by the witnesses that the State control should continue. In making this recommendation, the Commission are fully supported by the Experts' Committee on Fire Fighting set up by the Government of India in 1950.

Allied with the question of State control is the issue whether the organisation should form part of the police organisation. The Inspector-General of Police, Bihar, recommends a completely separate establishment, independent of the police and he has been supported by quite a number of other police officers. They seem to be influenced by the fact that the expenditure on this organisation unjustifiably inflates the police budget and that the hands of the police are already full with their own commitments. The Experts' Committee on Fire Fighting, 1950, also advocated its separation from the police. The systems that prevail in different States are conflicting; in some States, the fire service forms a separate organisation; in others, it is a part of the police organisation; and in Madras, although separated from the police, it is under the overall control of the Inspector-General of Police. Fire fighting is not one of the statutory duties of the police but one of the rules¹ of the Police Manual requires the police to assist in extinguishing fire, controlling crowd and protecting the rescued property. In England, a constable on the beat is required to give the alarm, send for the fire brigade and take steps to save life, protect property and keep order. The Commission are of the view that even though fire fighting is not included in the statutory obligations of the police, it does come under their general responsibility of protecting life and property. For the present, therefore, the existing arrangement should continue as the advantages are several. The police constitute a well-organised and disciplined force and its association will make for efficiency of this organisation as well. It is only when the enlarged organisation acquires a high level of efficiency that its separation from the police may be considered. The efficiency of this small organisation has been reported to be high.

As the State will have to bear, at least for some considerable time, the entire expenditure, the Commission cannot but keep in view the stress on the resources of the Government

1. Police Manual Rule 101.

on account of growing developmental activities. And necessarily, therefore, enlargement of the Fire Service organisation cannot be made as expansive as desired by the majority of the witnesses.

The Commission, however, recommend that every district headquarters should have a proper fire service station. The Commission would suggest setting up of fire stations in populous cities where damage from fire is likely to be heavy on account of congestion which always accentuates the risk of the fire extending to larger areas. Each fire service station should be provided with one fire fighting unit for a population of 50,000 and a reserve limited to the maximum of 20 per cent of the units and the minimum of at least one unit. This scale has been recommended by the Standing Fire Advisory Committee of the Government of India and appears to be reasonable. In the rural areas, it will not be possible to fight fire by any organisation located at the headquarters of the district nor can it be possible to provide fire fighting units for rural areas in the foreseeable future. Section 14 of the Bihar Panchayat Raj Act makes the Gram Panchayats responsible for fighting fire and this is one of the essential duties of the members of the Village Volunteer Force. The Commission suggest that proper use of this agency should be made by providing a course of intensive training in fire fighting to this organisation. For this purpose a course of training should be properly designed and included in the syllabus of training meant for Chief Officers of the Village Volunteer Force. Every such organisation should be made to maintain the bare minimum fire fighting equipment like a ladder, some pitchers filled with water and buckets full of sand. The Public Relations Department should also draw up a plan to educate the people, particularly in rural areas, for the necessary care and precaution that should be taken to prevent fire and to fight it when it occurs. This recommendation is largely based on the innumerable reports of outbreaks of fire, causing considerable damage to life and property that are received from the villages of Bihar.

130. The Commission do not recommend any change in the present scale of staffing of fire service units except that the necessary training and leave reserve should be provided. Also, for the enlarged organisation, the officer-in-charge of the organisation at the State level should be of the rank of Superintendent of Police and should continue to be designated as the State Fire Service Officer. He should draw his pay in the scale of the Indian Police Service. He will be assisted by an Assistant State Fire Service Officer who should be of the rank of Chief Inspector. The Commission are of the view that the Deputy Inspector-General in charge of the Special Armed Police, the State Motor Transport and the Bihar Police Radio can just afford the time to take over administrative control of the State Fire Service organisation. He should also assist in the training of the village Chief Officers.

The scales of pay and conditions of service of the fire service personnel should be such as to attract good type of men, capable of receiving training in fire fighting and first aid, and displaying the necessary attributes of courage and resoluteness. The physical and educational standards of recruits should not be less than those of the corresponding ranks in the police. The Commission recommend that the firemen, the leader, and the Fire Station Officer should be given the scales of pay recommended for constables, Head-constables and Assistant Inspectors of Police, respectively. The fire service personnel including the State Fire Service Officer and the Assistant State Fire Service Officer should be appointed under the Bihar Fire Service Act, 1948 and form a closed cadre. The officers should be trained in the National Fire Service College, Nagpur, and the firemen and the leaders should be given the necessary training at the headquarters of the organisation.

131. At present, the expenditure incurred on the State Fire Service organisation forms part of the police budget and the reason may be purely historical, arising out of administrative convenience. The vesting of the control of the fire service in the Police Department is not likely to be of any special advantage to the latter, but it will, of

course, ensure better organisation and working efficiency of the Fire Service organisation itself. In this view of the matter, it will not be reasonable to burden the police budget with the expenditure incurred on the State Fire Service organisation. The Experts' Committee, 1950, had suggested the levy of a fire tax. This suggestion has not received any favourable response so far and the Commission do not wish to comment on the advisability or otherwise of such a levy. So long as the service is not municipalised, the financial burden has to be borne by the State and it should conveniently form a part of the budget of some other department of the State. The most appropriate department which should finance this organisation may be the Local Self-Government Department. The Commission view with favour the suggestion of securing some reasonable contribution from the municipalities. In Bengal, all warehouses and godowns have to obtain licences under the Bengal Fire Service Act on payment of some fees which form a source of revenue. The State Government may consider the propriety of introducing a similar system of licensing and, in any case, making it compulsory for warehouses and large godowns to provide fire sprinklers and fire extinguishers and to make such other fire fighting arrangements as are necessary.



CHAPTER X

CRIME—ITS EXTENT, CAUSES AND PREVENTION

A. EXTENT OF CRIME AND ITS CAUSES

132. Of all the duties the police have to perform, there is none more important and none more difficult than the prevention and detection of crime. The problem relating to it is not only peculiar to India but is the same in all other countries and has roots that are fairly deep in history and are traceable even to periods before the dawn of civilisation. It is not the intention nor is it necessary to trace the history of crimes in India from ancient times but to enable one to appreciate the problem more rationally, it is essential to assess the extent of criminality, particularly, in Bihar, in recent history. It is significant that in 1290, some 1,000 thugs were arrested in Delhi and transported to Bengal where it appears they laid the foundation of thuggi and dacoity which constituted a grave menace to society towards the close of the eighteenth century and the early nineteenth century. In 1770, the Supervisor of Purnea declared that the dacoits of that district were robbers by profession. Most of the robbers moved in groups masquerading as Sanyasis and Faquirs and their area of operation extended to the districts of Purnea, Bhagalpur, Tirhut, Saran and Champaran. In one of his despatches, dated the 19th of April 1774, Warren Hastings referred to "professional and systematic maraud which from the earliest times had existed in this country".¹ The crime situation continued to be out of hand throughout the eighteenth and the nineteenth centuries and it appears from historical records that dacoits moved in bands of 300—400 armed men indulging in plunder and loot, particularly victimising the citizens of the hilly tracts of Ramgarh, Gidhour, Manbhum, Singhbhum, Rajmahal and parts of Bhagalpur lying on the border, dividing Bihar and Bengal. The history of criminality is really reflected in the history of a deep rooted crime like dacoity. Thuggi was eliminated after a relentless action under Colonel Sleeman. While it was successfully suppressed, the problem of dacoity defied solution. In the time of Lord Auckland, a systematic operation against dacoits was undertaken. They were classified into three categories :—

- (i) the most dangerous were those who were firmly settled in the district and committed their depredations around them;
- (ii) those who periodically depredated from other Provinces and constituted the next point of danger; and
- (iii) the most numerous class consisted of those who turned dacoits under economic pressure but generally responsible for the least aggravated cases.

Strangely enough, this classification holds good even today.

There is very little of historical record to suggest the extent of the more staple forms of crime like burglary and theft during the British rule but there is hardly any doubt that such cases in this as in other countries have persisted through the centuries with only slight variations in the technique adopted by the criminals.

The Commission have tried to examine this problem which affects the community at every level and to assess the extent of crime and suggest such remedies that might prevent it.

133. The questions that have loomed large before them are (i), whether statistics of various forms of crime furnish a reliable guide to indicate the extent of crime and if not, what should be considered to be the best method; (ii), has there been any increase in the incidence of crime, particularly heinous crimes or whether wider publicity of crime

Statistics of crime.

1. Bengal published letter to Court, dated the 25th August, 1792.

reports have gone to heighten the picture; and (iii), what are the various causes that have led to increase in crime and whether economic stresses and social strains have been the major contributory factors for this increase. It is best to take up each of these questions separately.

One of the most accepted methods to watch the fluctuations of crime is to collect the necessary statistics. The opinion of witnesses appears to be sharply divided and the majority of non-official witnesses are reluctant to consider statistics as a reliable guide and the reasons advanced by them are that crimes are not fully reported: particularly crimes committed on the railways seldom see the light of day and petty crimes involving theft of property of small value are not always brought to the notice of the police due to an apprehension of further harassment of the victim and that, for no purpose, as most of the cases go undetected. These views cannot easily be discarded but while one should not completely be guided by statistics for gauging the extent of crime, one of the most accepted methods everywhere is to collect the necessary statistics, for, they do not only indicate the incidence of crime but show up fairly accurately its distribution. There are certain difficulties in the way of collecting the necessary data and the Commission, therefore, are of the view that statistics alone cannot always reflect the crime situation. In spite of this deficiency, however, statistics in this field, as elsewhere, must continue to play a major role in drawing certain conclusions and every effort has to be made to make the statistics as accurate as possible. Their correctness, which is no doubt of vital importance, has to be assured, particularly if popular confidence in them is to be secured. The non-official witnesses, on the other hand, do not always accept the veracity of statistics and have a concealed suspicion in their accuracy. A number of factors make for reliability of any data based on figures and much would depend on how the figures are collected. While it may be unsafe to draw positive conclusions merely based on figures that are furnished, there is no doubt, in the view of the Commission, that statistics have to continue to be collected and will always furnish a fair idea of the extent of crime. It must be remembered that statistics do not constitute a census of crime but furnish the starting point of any investigation. In order to ensure accuracy, particularly at the level of the police-station, which is the base for collecting statistics, it is essential that the rules for the preparation of statistics are carefully and faithfully observed. It may also be desirable to rely on more than one agency for the preparation of statistics and this can now be easily achieved if Gram Panchayats, who are being increasingly associated with administration connected with law and order, were encouraged to maintain a chronological list of crimes that occur in the village irrespective of the fact whether the crime is reported to the Gram Panchayat or to the police-station. These lists should be exchanged between the police-stations and the Gram Panchayats and will ultimately assist the police court office of the Subdivisional Magistrate, which is the accepted agency for the compilation of these statistics. Some witnesses have suggested that the existing criminal statistics in the State are related primarily to the number of crimes reported, the number verified by investigation, the number of persons apprehended and the number of offences cleared or accounted for by the arrests effected but they are not sufficient to furnish an accurate guide of the trend of conditions known to cause crime. The crime reviews meant to interpret the figures in the correct perspective should, therefore, be accurately prepared. They can serve as a reliable guide if they have a good coverage and crimes are properly reported, recorded and comprehensively classified and sub-classified according to their seriousness, their *modus operandi* and the extent of the involvement of person and property.

The second question regarding the increase in the incidence of heinous crimes and their wider publicity also engaged the attention of the Commission. They have studied the statistics of crime that have been maintained from year to year and have compared the figures with the prevailing conditions during the periods in question. There seems hardly any doubt that the statistics of heinous crimes have been prepared with fair accuracy.

It may however be, that occasionally, or in some parts, cases might have been suppressed, sometimes wilfully, but the Commission are of the view that wilful suppression of such cases today, is much more difficult than in the past. The newspapers generally give a fair assessment of the extent of a particular form of crime which has a special bearing on the life of the community but according to many witnesses, both official and non-official, the picture that is presented by the newspapers might appear to have been heightened. This perhaps cannot be avoided, as in the very nature of things, these reports have to be published by the press without any elaborate scrutiny. Much of the misunderstanding would, however, be cleared if there was a better liaison between the press and the police, particularly at the higher levels so that publication of news which lacks authenticity is prevented as far as possible. In no case can the police force afford to ignore the press reports regarding crime as they sometimes highlight, both to the advantage of the people and to the criminal administration, the extent of crime that is prevalent in a particular area.

A study of the statistics of crime reveals certain interesting features. The total number of cognisable cases reported in the year 1912 when the Province of Bihar and Orissa was created with a population of a little over two crores was 53,324. In 1960, without Orissa, but with a population twice as much, the total number of cognisable cases registered by the police came to 63,122. The totality of crime, particularly in relation to the unprecedented rise in population and complexities and conditions of life, has, if anything, showed a remarkable decline but this decline is not sufficiently noticed because of the fact that simultaneously there has been an unprecedented rise in the incidence of the more heinous forms of crime like murder, dacoity and riot. It is the unanimous view of the witnesses that heinous crimes have recorded progressive increase in recent years and the incidence of murder, dacoity and riot ever since 1942 supports this view fully. The increase is so marked that it has legitimately given rise to a sense of insecurity, especially in the rural areas. It may be that due to better reporting and recording, the figures show an increase but the fact remains, whatever may be the cause, that such crimes have shown a very distinct upward trend in the last two decades almost everywhere in the world. There are, however, certain forms of cognisable cases which have become rare and this accounts for the number of total cognisable crime being comparatively low.

134. The Commission have examined the various causes said to have been responsible for increase in the more heinous and desperate forms of crime in Bihar. It brings to consideration the third question that has been raised earlier in this chapter.

Causes of crime.

Judging from the evidence of a large number of witnesses, as also from the prevailing view regarding the causes leading to crime, it appears that there are a number of factors which have to be taken into consideration and any one factor alone can never be held to be responsible for increase in crime. Some of the factors in the view of the Commission would be well worth indicating to show how heinous crimes have increased.

(i) *Population*.—The effect of growing population on the overall picture of crime is much too obvious to need any elaboration. It is, however, not only the rate of population which reflects on the crime situation but there are other factors relating to it that have some bearing on crime. Free movement of criminals, facilitated by quicker means of communication, concentration of population in urbanised areas and the heterogeneity of population in areas where industries have been rapidly growing are some of the other factors in relation to population which affect the incidence of crime.

(ii) *Economic and Social causes*.—The transition from a backward agricultural economy to that of rapid industrialisation, the breaking of the feudal structure, e.g., abolition of zamindari and other vested interest, rising prices, scarcity, unemployment, marked inequality, and consequent social changes have a very sharp effect on the life of the

community. During their tour in Madras, the Commission were informed that there was 300 per cent decrease in crime during 1958 as against 1949 on account of gradual and steady improvement in the economic condition. A study of the crime fluctuations during periods of drought and flood in Bihar since 1912 supports such an inference. While in 1919 soon after the First World War there was a rise, it is also interesting to note that most of the districts in Bihar were visited by drought and then later by floods causing scarcity and famine. The period 1920—39 which included the years of plenty and low prices recorded a satisfactory crime situation but in 1940 every form of crime started to register an increase. It may not be a mere coincidence that these years were also visited by scarcity and the districts which were most affected registered the highest incidence of crime. Again 1951, which was a peak year for crime was also a bad year for drought. The severest drought in recent years visited Bihar in September and October of 1957 and this year again recorded a sharp rise. The figures of 1950, 1951, 1952 and 1957 have been the worst and it is again more than a coincidence that these were the years of scarcity and high prices.

Even advanced countries of the West have been reported to have gone through the baneful experience of witnessing a sharp increase in all forms of violent crime in areas where industrialisation has been most rapid and it is the view of many criminologists that large-scale industrialisation must be followed by a wave of crime. Industrialisation in its early stages also creates social and economic inequality and this in turn excites jealousy, intrigues and the baser instincts of a man. There is an anxiety to grow rich quickly and India seems to be affected similarly not only in her industrial parts but elsewhere as well. The people seem to have forgotten their great heritage of plain living and high thinking. This idea can well be inculcated again through sustained propaganda and proper education in schools and colleges.

(iii) *Natural calamities and man-made upheavals like World Wars.*—There is no single factor which has affected the incidence of crime more than wars, pestilence and famine. Not only in India did crime go up steeply after the two World Wars but this phenomenon was present in all the war ravaged countries. A study of criminality during the World War I and the post-war periods in Germany and Austria gave considerable insight into the effects of war on crime. In Austria the incidence of crime rose by 53 per cent during the period of war and by 80 per cent during the post-war periods. The Second World War has been responsible for increase in crime all over the world. In England, the rising trend reached its peak towards the end of 1951 when nearly 100 per cent increase was recorded. Significantly, the periods when crime reached its peak in Bihar were soon after the two World Wars and following the partition of India and then during the periods of flood and famine.

(iv) *Administrative lapses.*—Several witnesses have emphasised that effective crime measures are not adopted due to incompetence, corruption and demoralisation in the police force. The standard of investigation is poor and consequently, cases fail in court. A few witnesses have even suspected that some policemen are in league with criminals. The picture of crime may largely be affected by some of the causes enumerated above but the role of an administrative machinery engaged in combating crime can never be overstressed. The police may not have any direct responsibility for controlling crime-inducing factors but their efficiency and effectiveness will largely contribute to a peaceful and tranquil atmosphere. Among the factors which bear on the crime situation is the poor standard of surveillance over bad characters; inadequacy and indifferent quality of police investigating agency; and the inadequacy and the incompetence of the prosecution staff. The Commission have tried to remedy these defects and have made various recommendations for their removal.

(v) *Political causes.*—Several witnesses, including a former Judge of the High Court, have expressed the view that political interference in police administration has considerably weakened the effectiveness of the police and increased political activities have encouraged disregard for law resulting in increased lawlessness in all spheres. While there may be some truth in what has been said, it cannot be urged that this factor has caused a sharp rise

in crime. It may however have resulted in demoralisation, quite often unwarranted in the police hierarchy. A demoralised force even in the best of times can hardly be effective.

(vi) *Illiteracy and poor level of education.*—These factors have a great influence on some forms of crime as it is noticed that the youths are getting affected primarily because a large number of educational institutions have sprung up without proper arrangement for residence, teaching, or planned extra-curricular activities.

(vii) *Cinema and pornographic literature.*—Many witnesses have stated before the Commission that lurid pictures shown on the screen and on walls for advertisement as also indecent literature have gone a long way to weaken the moral fabric, particularly of the youth. Obscene posters and scenes of crime enacted on the screen damage the impressionable mind of the youth and it has been suggested that a more rigorous censorship has to be instituted in order to prevent cinemas from producing such baneful effects on society. The Commission are in complete agreement with this suggestion.

Some of the heinous forms of crime and their extent deserve special mention.

135. Burglary and theft, which are the staple forms of crime, have not registered any appreciable increase in spite of very marked rise in the population figure and still more marked industrialisation in many parts of the State. There were, however,

Burglary and theft.
sharp increases in both these forms of crime in 1919 soon after the World War I and during the period from 1939 till the termination of the World War II. In the last 10 years the incidence of these staple crimes has been almost stationary. Two comparatively new kinds of theft, namely thefts of cycle and of copper wire, however, have made their appearance and seem to defy detection. This will require special attention. The examination of the incidence of these forms of thefts reveals that they are committed more freely in urban areas than in rural parts and it is hoped that the reorganisation of the town police will greatly assist in preventing these forms of crime.

136. No other form of crime has caused so much of concern as dacoity. It is a typical form of crime which has existed in India since recorded history begins. The records of the last 200 years indicate that there has been no material change in the methods of its perpetration. In many such cases the inmates, particularly the women folk, are subjected to considerable indignity and molestation. This has gone further to heighten the extent of this problem. Dacoity affects more the rural life of the State. Dacoities are generally committed in distant villages and during the darkness of the night while in some other States they sometimes occur even by day. This form of crime can perhaps be handled successfully if a two-pronged attack is made. The investigation of these cases which have wide ramifications must be broad based and done in a planned manner. The Commission note with satisfaction that since the Anti-Dacoity Wing was set up by Government in 1958 in the wake of the steep rise during the previous decade, the results have been extremely satisfactory. From the four figure mark, dacoities came down to 750 in 1959 and 658 in 1960. The setting up of the Anti-Dacoity Wing amply demonstrates that properly planned and directed investigations by specially selected and trained officers can considerably minimise the extent of this medieval form of crime, which no modern society can easily tolerate. The Anti-Dacoity Wing, in the opinion of the Commission, should be continued till such time as the problem of dacoity is not satisfactorily solved. This wing would be well advised to initiate gang cases and take a note of what may also be more than a coincidence that both 1951-52 and 1956-57—the years of general elections, recorded the highest rise in this form of crime in the whole decade.

A problem of this magnitude can hardly be faced by the limited strength of the stipendiary police. The Gram Panchayats in the view of the Commission should be encouraged to develop not only resistance against dacoits but also an abhorrence for them. It is the statutory obligation of the Village Volunteer Force under the Gram Panchayat Raj Act to prevent

dacoities and burglaries and this task can well be accomplished through efficient patrol and effective surveillance assisted by this force.

The Commission are of the view that greater use of section 110 of the Code of Criminal Procedure and other preventive sections of the Code could be made and the proceedings conducted swiftly and at the spot. They have recommended that a Special Magistrate for hearing such cases should be appointed in every district provided the workload warrants it. To develop resistance at the village level in a planned manner, Government have sanctioned a scheme to arm the Chief Officers or the Dalpatis with breech-loading shot-guns of .12 bore which are supplied to the Gram Panchayats on a subsidised basis and a scale of free supply of cartridges has also been sanctioned. The scheme includes the training of the Chief Officers in the use of fire-arms by the police. The Commission recommend the extension of this scheme to all Panchayats without any delay. In badly affected areas, Government may also consider arming the Updalpatis or Naiks when such posts come to be created. Under the provisions of the new Arms Act it is presumed that licenses will be issued more liberally to the people to meet the challenge of armed dacoits. The Commission are also of the view that the scheme of training volunteers in the use of bows and arrows, started for the first time in this State, should be fully implemented. If these steps are taken, the Gram Panchayat Volunteers, who have already exhibited rare courage on many an occasion, may succeed in eliminating dacoities from their villages, especially if the police are also able to liquidate them by honest investigation and the society rehabilitates them. Dacoity can be prevented more effectively if an effort is always made to arrest the real culprits and to get them put away. The lure of wealth prompts the dacoits to plunder. The Commission hope that with increasing facilities for banking, it may be easier for the people to keep their valuables in safe deposits.

137. Murder is another form of heinous crime which has registered an unprecedented rise and has caused considerable anxiety. Murder as a result of a sudden quarrel or some secret intrigue can hardly be prevented by the police but it can be checked if it is the result of a long standing feud which can be effectively dealt with under some of the preventive sections of the Code of Criminal Procedure. The Indian Police Commission of 1902 had observed "There are some offences; such as murder, which the police have very little power to prevent, especially in rural tracts; but the great mass of crime, in this as in other countries, consists of offences against property and in respect of these a good police should be able to afford a large measure of protection, either directly by regular and efficient patrolling, or indirectly by exercising an adequate surveillance over bad characters."¹ The Commission are in agreement with these views and only wish to add that the police would enjoy a still greater confidence if they treated reports of crime, particularly of murder, as they should be treated and investigated them as thoroughly as possible, freely seeking the aid of science. Apart from depending on reliable eye witnesses, although they are not always available, there should be more and more dependence on such circumstantial evidence as is based on scientific analysis.

138. Riot is a form of crime which is reminiscent of ancient times. That even today people believe in 'An eye for an eye', and, 'A tooth for a tooth', is a matter which must cause considerable anguish. When offences are justiceable, there is no reason why people should take the law into their own hands. Many witnesses have stressed that due to causes beyond the control of the police there is a growing disrespect for law and a growing feeling that the citizens themselves have no obligation. It has transpired in the evidence laid before the Commission that the police and the magistracy have also not been able to make effective use of sections 107, 144, 145, 147 of the Code of Criminal Procedure.

The expeditious disposal of such proceedings is a condition precedent to maintaining the peace. Now that the Sarpanches have been empowered to take action under section 64 of the Bihar Panchayat Raj Act, 1947 the Commission hope that the Gram Cutcherry would get more and more associated with the work of prevention of this heinous form of crime. They recommend that during their tours of inspections, magistrates should examine, whether judicious use of the preventive sections of the Code of Criminal Procedure has been made by the Gram Cutcherries. The Commission have to note with regret that riots which mainly occur in the villages have made their ugly appearance now in towns also. Street riots are not uncommon but these are the signs of times and even the Western countries are getting badly involved. With increasing co-operation of the people who have a different heritage in India, it is possible to prevent them.

139. There is a unanimity of view expressed by a large number of witnesses before the

Railway crime.

Commission that a sense of insecurity is progressively growing in the minds of the people who travel by railway. Railway crimes have been appropriately dealt with in the chapter relating to Railway Police and the Commission hope that with the reorganisation of the administrative set-up and the improvement suggested in the construction of railway carriages, the position should improve.

140. One of the natural results of industrialisation is rise in crime. During their tours in

Crime in industrial areas.

the industrial belt of Bihar, witnesses representing the various trade unions or the managements and the local residents expressed considerable anxiety over the growing lawlessness in these areas. The crime situation in industrial parts has certain well defined and distinctive features. The population is cosmopolitan and floating in character making the task of the forces of law and order more difficult. In spite of the heterogeneity in population, there is, however, a fundamental unity in the aspirations, needs and pattern of behaviour of the people. While this unity in diversity has certain advantages, there are also some inherent dangers. For offences against property in these areas, they generally take the same shape and form as in other parts of the State but the problem relating to law and order requires special treatment. It can be classified into two categories. The first category relates to disputes between the labour and the employer and the second is connected with disputes between rival labour unions. As for cases in the first category, they are generally in the nature of personal attacks, sometimes culminating in serious riots and murders. There is substantial evidence to indicate that this menace can be met if the police in the industrial areas were made more mobile and had in their ranks specialised investigators who fully understood the various labour laws. It has also been suggested by several witnesses, and the Commission agree with them, that the means of communication available to the police in these areas should be considerably improved and every police-station should be linked up by wireless. The areas should be effectively covered by foot and mobile patrols. The radio patrol cars should be equipped with wireless telephony with connexions to the parent police-stations and to the control stations or information rooms, to be established at two or three convenient centres in the mining district of Dhanbad, where the population though scattered has large and extensive pockets. If this scheme is fully implemented, both the management and the labour can easily summon police assistance in quick time and the problem of crime against person can effectively be faced. Here again, judicious use of the preventive sections of the law should be made without fear or favour. As regards theft of industrial materials, which is also a kind of crime peculiar to industrial areas, the Commission consider it to be a domestic problem, which has to be solved by the management and the staff themselves. A suggestion has been made to introduce the Bombay scheme of police-watchmen to prevent such thefts. The system has been briefly referred to in Chapter XIV (Organisation of auxiliary forces). The second category of trouble is always the direct result of rivalry among trade unions. The All-India Trade Union Congress, the All-India Hind Mazdoor Sabha, the Indian National Trade Union Congress and the United Trade Union

Congress are some of the most active labour unions operating in Bihar. They are all sponsored by different political parties and the history of the industrial strikes can almost invariably be traced to the rivalries between these trade unions. This subject has been dealt with in great detail by the Kerala Police Reorganisation Committee of 1958 which has made certain concrete recommendations for dealing with this vexed question. *Inter alia*, the Committee has suggested that only one union should be given the right of collective bargaining and such a union should be selected by majority of votes based on secret ballot. The Tripartite Agreement recently drawn up has, no doubt, considerably eased the situation but the scheme suggested by the Kerala Police Reorganisation Committee commends itself to the Commission and they recommend that it should find favour with the authorities. This Committee has made certain other important suggestions to improve the administration in the labour areas. They are :—

- (i) the machinery of conciliation should be prompt and effective;
- (ii) the police should be fully conversant with the labour laws and they must specially improve the intelligence system at the police-station level;
- (iii) the intelligence branch of the Criminal Investigation Department and the Labour Department are perhaps fully in the picture but in many instances, the local police are oblivious of the various developments. Steps should be taken to ensure that the intelligence system at the police-station level is considerably strengthened;
- (iv) the Code of Conduct as drawn up by the Tripartite Agreement should be more effectively enforced;
- (v) big industrial establishments should have their own watch and ward arrangement;
- (vi) living conditions of the labour and their welfare should be not only the concern of the management but also of the Government;
- (vii) the policy of Government with regard to all labour matters should be direct and firm; and,
- (viii) the police force in the industrial areas must be adequately strengthened and should be well equipped with modern appliances and served well by quick means of communication.

These suggestions are sound, the Commission concur in them and commend them to the State Government.

There was weighty evidence laid before the Commission on the question of the role of the police in industrial disputes. It has been rightly said by many knowledgeable witnesses that the situation is both difficult and delicate and in that view of the matter, the officer-in-charge of police-stations have to perform a particularly key role. A policeman in such areas has to be always alert and watchful and every witness appearing before the Commission from the industrial districts has suggested that the police should be of a high calibre, always neutral and never partisan. Some have said that they have to play the role of a referee without getting drawn into the disputes but when they are called upon to interfere, the action that they take must be prompt and effective. The Commission are in agreement with these views.

141. Although this new form of crime, which has made its ugly appearance recently, cannot be said to be a widely prevalent crime, the menace is growing so rapidly, particularly in urban areas, that it should claim attention. The Commission consider that the main causes that have led to the growth of anti-social activities are (i) indecent pictures exhibited in cinemas for which strict censoring is necessary; (ii) lack of

ethical bias in the training of the youth, particularly in the educational institutions, the curriculum should include a course of study in Ethics in order to raise the moral tone not only of the taught but also of the teachers; and (iii) declining respect for law and authority, specially in the youth. It has been suggested that frequently *goondas* masquerade as students in order to gain the sympathy of the people. It is the duty of the police to keep a complete track of *goondas* but sometimes the indiscipline amongst the students also show disregard for good manners. Frequently demands are made by them to travel free on trains, on public buses and on other hired conveyances; to get free admittance into cinemas, and to force their presence in other places of entertainment. These are problems which could best be tackled by the educational authorities themselves and the Commission recommend that every educational institution should have a 'Court' presided over, preferably by the best and the seniormost student. Cases of indiscipline should generally be referred to this Court which should refer any case requiring disciplinary action to the Head of the institution. A senior teacher or professor should guide the presiding officer whenever any guidance is sought or indicated and the Head Master or the Principal should be able to withdraw any case from his file and pass suitable orders.

As regards the activities of *goondas*, several witnesses have recommended that the Goonda Act alone can deal with them effectively but the Commission are not sure if the provisions of such an Act can really be effective. The Commission have come to the conclusion that the increasing co-operation of the public must be sought to deal with them and the gamblers. Home Guards for cities and towns should be raised and a corps of leading citizens set up. They may be invested with police powers but need not wear uniform nor should they be made to parade or drill like policemen but they should have powers to act swiftly against *goondas* perpetrating any crime within their view. The Commission recommend that for a start, this scheme may be tried in the capital city under the guidance of the Inspector-General of Police assisted by the Commissioner of Police recommended to be appointed for the city of Patna. The police have to undertake an organised campaign against anti-social elements as is done in certain cities of West Bengal and Bombay. The Commission understand that the 'bobby squad' in Bombay city is directed to make enquiries about the anti-social elements residing in its areas. Such a squad should be organised in the bigger cities of Bihar as early as possible.

B. PREVENTION OF CRIME

142. Having dealt with the extent and causes of the various forms of crime which occur commonly in Bihar, the Commission proceeded to examine the various measures that have to be taken to ensure effective control of crime. Generally, non-official witnesses seem to be of the view and some official witnesses also share it, that the present system of crime control is defective. Majority of the witnesses are, however, of the opinion that there is nothing essentially wrong with the present system of crime control but some improvement is required. These improvements, according to them, should include active co-operation of the people in the enforcement of preventive measures; adoption of measures for reformation and rehabilitation of criminals; and appreciable improvement in the standard of work connected with investigation and prosecution of cases. The Commission are in agreement with the view that the present system of crime control is on the whole satisfactory and with various improvements suggested in this Report, it should show better results.

143. The present rules for registration and surveillance are based on the recommendations of the Indian Police Commission, 1902-03. The Commission have noted with some concern that there has been a steady increase in the number of bad characters requiring surveillance. During the last 20 years, police have been expected to keep watch on an average of about 30,000 criminals every year; an equally disquieting increase is noticed in the number of bad characters getting untraced.

The Commission have already commented on the futility of selecting a large number of suspects and criminals for surveillance. Superintendents must personally devote considerable time to this vital matter and make the list of surveillances really selective. Some of the witnesses have pointed out that the standard of surveillance leaves much to be desired on account of the fact that the departmental rules are not strictly enforced and surveillance work of police-stations is not subjected to a close scrutiny during inspections. Some police officers are, however, of the view that the present system of police surveillance is ineffective on account of the fact that it has no legal sanction. In this connexion, the Bihar Police Association has explained that the growing consciousness of the rights and privileges guaranteed to every citizen under the Constitution has prejudicially affected surveillance on bad characters as the latter are getting more and more intolerant of police watch. The Commission have also been informed that the personal recognition work at the headquarters of the districts has to improve appreciably. Another problem that is said to have adversely affected police surveillance is the absence of any procedure for the registration and recording of finger prints of criminals concerned in cognisable cases tried by the Gram Cutcherries. Wandering gangs, it is reported, do not receive adequate attention and there is no law to control the activities of habitual offenders. The Commission also understand that adequate use of the provisions of section 565 of the Code of Criminal Procedure is not made.

The Commission feel satisfied that strict enforcement of the existing rules should be able to secure the desired surveillance on bad characters. Great care must be exercised in selecting bad characters for surveillance and the list of bad characters should be subjected to periodical scrutiny. The responsibility of P. R. (Police Registered) work should be transferred from the prosecuting staff to the District Crime Bureau. Regarding registration of criminals concerned in cases triable by the Gram Cutcherries, the Commission hope that sub-section (ii) of section 68 of Bihar Panchayat Raj Act, as amended by section 52 of the Validating Act of 1959, should be able to remove the difficulty. The communication of the final result of cases tried by Gram Cutcherries to the police is essential and they should be required to supply copies of the entries maintained in "Register of Criminal Cases" in the prescribed form to the police-stations concerned. These entries can be transferred to the crime directory and other relevant crime records for the purpose of police surveillance. Some suitable procedure should also be introduced for recording of the finger prints of such convicts. It may be appropriate here to refer to the views of some witnesses that the Gram Panchayats should assist the police in exercising surveillance on bad characters. In the present system, this responsibility devolves on the Rural Police only but in some States, the Village Headmen have been made statutorily responsible for watching bad characters. In Madras and some of the southern States, the Village Magistrate maintains an up-to-date register of known bad characters and records therein all about their movements, occupation and activities. Police officers on tour are required to consult these registers. The Commission understand that in Bihar every Gram Panchayat will now have a Watch Committee to assist the Mukhiya in supervising the work of the Village Volunteer Force. The Commission are of the view that this Watch Committee should be required to maintain an up-to-date list of known bad characters to be supplied by the police-stations. All information about them should be secured from the members of the Rural Police and the Village Volunteer Force. The Commission expect that full use of this register will be made by the police authorities. As for watch over wandering gangs, the relevant rules of the Police Manual are adequate but are not always followed. This view is supported by the Inspector-General of Police, Bihar, who thinks that there is considerable slackness in the enforcement of the rules of surveillance on wandering gangs. The Commission desire that the potentiality of these gangs for crime should be fully realised by every police officer and adequate attention paid to them. The Commission also concur in the view expressed by some witnesses that the use of section 565 of the Code of Criminal Procedure should be more freely made by magistrates and the prosecuting staff. A senior District and Sessions Judge has, therefore, suggested that the importance of this section should be emphasised through a High Court circular addressed to all magistrates and judges. The prosecuting staff should also receive similar instructions.

The Commission endorse these suggestions and desire that in future full use of the provision of this section of the law should be made.

It has been urged by many witnesses that since the repeal of the Criminal Tribes Act, the police have been considerably handicapped in maintaining surveillance over dangerous criminals. A Committee, appointed by the State Government to enquire into the working of the Criminal Tribes Act, had recommended the repeal of the Criminal Tribes Act and enactment of a special legislation for controlling the activities of habitual offenders. A similar recommendation was made by the Criminal Tribes Act Enquiry Committee set up by the Government of India in 1949. This Committee suggested a central legislation for adequate surveillance on habitual offenders to precede the repeal of the Criminal Tribes Act. Several States have already brought on the statute, a Habitual Offenders Act and the Government of India have circulated a model bill to all States for a similar legislation. A very large number of witnesses have strongly urged that it is necessary to have some suitable legislation for controlling the criminal activities of habitual offenders, and the Commission readily agree with this view. They understand that a bill has also been drawn up in this State but has not yet been brought on the statute and recommend that the bill should be introduced as soon as possible as the ordinary and open methods of surveillance under the law can never be effective in controlling the movement of dangerous and habitual criminals. The proposed legislation should ensure that only those persons who have been convicted of certain heinous cases twice within five years are classified as dangerous and habitual offenders.

144. Crimes can be prevented both in towns and villages through well organised and efficient patrols which have been differently designed for urban and rural areas. The Commission have considered already the scheme of patrol in urban areas while dealing with the set-up of the town out-post. They have also recommended that in bigger cities, mobile patrols should supplement the usual beat patrols by foot constables. While dealing with the subject of beat patrol in urban areas, they would like to reiterate the recommendation of the Indian Police Commission, 1902, regarding "better lighting of the streets".¹ Well lit streets not only assist the beat constables in watching movements of criminals, but also act as a deterrent. Lighting of lanes and bye-lanes is generally neglected in most of the towns. The Commission desire that a comprehensive scheme for lighting public roads, streets and lanes should be drawn in every town.

For rural areas, the present rules provide for different types of patrol to meet varying crime situations. In recent years, armed patrols have been frequently used to combat dacoities and sustained efforts have been made to organise village resistance groups and village defence parties. A training scheme has also been introduced with a view to building up the resistance potential of the villagers by training them in archery. In order to enlist the aid of the village community, steps have also been taken to organise route marches in the rural areas. There is no doubt that patrols, if well organised and properly executed, serve a useful purpose; they create a sense of fear and apprehension in the mind of the criminals and develops a sense of security in the people. The effectiveness of any anti-crime patrol largely depends on a combination of several factors as secrecy, surprise, mobility, supervision, and the system of intelligence, and above all on the intensity with which it is planned and executed. A large number of witnesses have said that the anti-crime patrols need not always be armed for achieving their purpose. The Commission accept this view and have already observed that the growing use of armed patrols should be strongly deprecated. The Commission visualise that armed patrols will be rarely necessary except in an area which gets widely affected with an outbreak of serious dacoities. The Commission are also of the view that the responsibility for normal patrolling in the rural areas should devolve on the Village Volunteer Force and the Rural Police under the leadership of the Chief Officer

1. Paragraph 144 of the Report.

(Dalpati) who should all work under the immediate control and guidance of the Mukhiyas. In making these recommendations, the Commission have the fullest support of all well informed witnesses including the Mukhiyas and Sarpanches, examined by them.

145. The Indian Police Commission of 1902-03 had recommended creation of river police for patrolling riverine belts affected by crime. No river police has been set up in Bihar. The Commission consider river patrols essential for preventing crime committed on the beds of rivers and also for checking smuggling of certain excisable articles. It is recommended that river patrols should be based on all strategic ghats mentioned in one of the appendices and these patrols should be organised by the District Armed Police.

146. The Commission have been informed that proper and judicious use of the provisions of Chapter VIII of the Code of Criminal Procedure is not being made; seldom if ever, is the provision of section 106 of the Code invoked and though the number of proceedings instituted under other security sections has recorded substantial increase, the results are generally unsatisfactory, largely due to the delay in the disposal of these proceedings, and the lack of scrutiny required to be exercised by superior police officers. Some witnesses have pointed out that proper discretion is not exercised by officers-in-charge of police-stations when initiating these proceedings and that the delay that occurs in the disposal of these proceedings is generally due to the inadequacy in the number of magistrates. It has also been pointed out that proceedings under section 144 of the Code are kept pending and finally dropped after the expiry of 60 days. The Commission have been informed that many murders or serious cases of riot could be prevented if timely action were taken under this and other sections of the Code and an endeavour made by magistrates to pass orders well before the expiry of 60 days. According to the evidence of some members of the Bar, the disposal of these proceedings is delayed unnecessarily due to dilatory methods adopted by the parties, apathy and unwillingness on the part of public witnesses, inadequacy of magistrates and indecisiveness on the part of the police and the magistrates to take prompt and firm action. Some witnesses have suggested that police officers should be empowered under section 144 of the Code to issue preliminary notices for preventing a breach of the peace. The Commission are of the view that the scheme of preventive sections as given in Chapter VIII of the Code is essentially sound. What is necessary is to ensure that police officers do not initiate proceedings without adequate grounds and the proceedings once initiated are disposed of without delay. The Commission consider it desirable that any report submitted under the security sections of the Code of Criminal Procedure should be submitted directly by the officer-in-charge of a police-station but a copy must invariably be sent to his next superior officer for scrutiny and check. Tardy disposal of proceedings under section 110 of the Code is likely to have an adverse effect on the crime situation, and the Commission have noted with some concern that these proceedings in some districts have been pending for a number of years. They recommend that the old system of enquiry at the spot should be revived and an adequate number of magistrates provided without any further delay in every district for dealing with such cases.

147. For dealing with organised crimes with wide ramifications, various rules have been provided in the Police Manual for holding co-operation meetings between police officers at different levels. Such meetings, attended by officers of neighbouring police-stations, districts and States, are generally held but the Commission have been informed that some of the meetings are formal in character and seldom ensure the purpose for which they are convened. Where the inadequacy lies is really in the follow-up of the resolutions that are passed. The Commission desire that these co-operation meetings should be held frequently and be made as useful as possible. The subordinate police officers should be made to realise the value of such meetings for the purpose of crime control. Adequate action is generally not taken on the hue and cry notices, enquiry slips, and requisitions for assistance

sent by police-stations to their neighbours. Effective steps should be taken to enforce the proper compliance of the rules on this subject.

Considerable difficulty has been felt by the police in dealing with criminals operating in the northern districts which have a common border of nearly 400 miles with Nepal. Rules have been outlined in Appendix 19 of Volume III of the Police Manual but they are not adequate and the police find it increasingly difficult to seek the assistance of their opposite numbers in Nepal in devising measures for crime control and in following criminals and suspects. The Commission have been informed that the State Government have considered these difficulties but there has been no amendment to the existing rules or procedure with regard to obtaining extradition warrants or with regard to interrogation of suspects and accused detained in the jails of Nepal. The Commission consider that in order to make crime control of such a lengthy border more broad-based, the two countries should perhaps agree to a more expeditious method of dealing with matters connected with the prevention and detection of crime which will be of mutual advantage to both and recommend that the State Government should take up this matter with the Central Government.

148. The Commission do not feel satisfied that one particular class of criminals has received the attention that it should. Connected with the problem of all forms of crime against property is the vexed problem to trace the stolen goods which generally find a ready market. Cases of theft of ornaments, copper wire, bicycles, railway and industrial materials occur frequently and the stolen property is easily disposed of through well organised gangs of professional receivers who exist in large numbers in big cities and industrial towns. Some of these receivers have established links not only in their own area but also in places, far and wide. It is of utmost importance for the police to know them and their contacts in order not only to recover stolen property but also to prevent this nefarious trade. The Indian Police Commission of 1902-03 had made similar observations and suggested a legislation on the lines of the English Pawn Brokers' Act. They had also suggested that as in England, the courts might postpone passing sentence on a person found guilty of an offence against property in order to allow him an opportunity to restore it and to give information about the receivers on the clear understanding that his conduct in this respect would be taken into consideration in awarding punishment. While the onus to prove possession of copper wire of the design and material used by the Railway and the Telegraphs Department and of railway stores has shifted to the accused under the "Telegraph Wire (Unlawful Possession) Act" and the "Railway Stores (Unlawful Possession) Act, 1955", this is not so in respect of industrial materials. Even when the police recover these materials which are obviously stolen, the guilt cannot be proved as the identity of the property or its ownership is held in doubt. It may be desirable to consider some legislation on the lines of the aforesaid Acts for dealing with receivers, especially in industrial areas. Increasing use of scientific methods for establishing the identity of any stolen material has also to be adopted.

149. While the use of spies proved of considerable help to the Thuggi Department set up in the early nineteenth century, or even in earlier times, the hollowness of depending on this source only for tackling crime was appreciated by the Indian Police Commission of 1860 which recommended the winding up of the Thuggi Department and also considered that the existence of spies and informers was "a curse to the country". There is, however, no doubt that one of the most accepted methods of watching criminals and the progress of a criminal gang is through accredited sources and they should not dry up, but caution must be exercised not to take a parochial view of the activities of the sources and in no case should they be allowed either to act as agent provocateurs or to mislead the police. Whenever sources are employed, their veracity should be well tested.

Officers generally employ their own sources and gain their confidence. In any case it is the duty of a police officer to guard the safety of sources and give them the necessary protection. Sometimes sources have been so badly exposed that their lives are held in danger and it has happened that sources have been killed. There is an art in handling sources and even a greater art in selecting them. The Commission desire that the syllabus of training both in the basic institutions and the Advanced Training School should include a course on this important subject.

150. The conventional methods of crime control should include not only preventive measures but steps should also be taken to dry up the sources which create the conditions that induce criminality. The modern penologists attach some importance to this aspect of preventive work and the Commission generally are in agreement with the views that, being a sociological problem, this aspect of the work does not devolve on the police but they should take a hand, may be an invisible hand, in an effort to reform or rehabilitate the delinquent, particularly the juvenile. The Indian Police Commission of 1902-03 observed that no treatment of the subject of prevention of crime could be said to be complete without reference to that important branch of it which relates to the reformation of criminals. Since then, reformatory schools have been set up and there is one such school in Hazaribagh in this State where juvenile offenders treated under section 562 of the Code of Criminal Procedure, are confined for reformation and for vocational training. It has been suggested that the stereotyped methods that were adopted in this school reduced it almost to a prison. This has to be avoided. A pilot institution has been attached to this school where efforts are being made not to treat the juvenile delinquents as convicts. The Western countries are fully conscious of this important aspect of life and mere punitive measures have not so far provided any relief to the society from the activities of the anti-social elements and as prevention is always better than cure, it is essential to build up a society where delinquency is effectively prevented. Under the Probation of Offenders' Act, 1958, some of those criminals who have been convicted of certain classes of offence can be treated under this special Act which provides for a person on conviction to be placed on probation and not be sent to jail. The Probation Officers have to watch them in their natural surroundings and if they react properly to this kind of treatment they are, as free men, allowed to follow their own avocations in life. The Commission are of the view that the work should not stop there and efforts should be made to rehabilitate the persons so treated by getting them some staple employment. Criminals on conviction are also released on parole for a specified period and for a specific purpose. During the period of parole, however, it is essential that the police should be aware of the presence of the person on parole in their jurisdiction as he may easily elude the Probation Officer and revert to crime. The experience, however, has not been adverse and it has been reported to the Commission that those who have been released either on probation or on parole have reacted properly to this kind of treatment. The Commission, however, consider that the follow-up after such releases should be well thought out and the society with the aid of Government should build up institutions for this purpose. The Commission are also of the view that the police should not have much to do with the correctional aspect of such a scheme but should only keep a watchful eye and also help in running boys' clubs where wayward children, who may not have taken to crime, can be brought for a rational get-together in order to imbibe better ways of living and thinking. The Commission saw such an institution in Calcutta run by the police where the parents voluntarily send their children to their care; but it is the view of the Commission that such homes should be more appropriately run on philanthropic lines by non-police agencies. Many a time, the juvenile develops into a hardened criminal due to the treatment he receives at the hands of the prison and police authorities; they must learn the art of handling him. It has already been suggested that for investigation of juvenile delinquency, a Juvenile Aid Bureau as part of the State Criminal Investigation Department should be set up.

In the end, the Commission would like to emphasise that for effective crime control either through preventive or punitive measures, there cannot be a short-cut and every policeman must fully realise that it is a long and laborious process which he must learn to execute patiently and cheerfully. For developing this attitude, rules and laws may be framed but they will be of little avail unless the police develop a sound sense of pride and pleasure in what they do to serve the society and the people for whose safety they have been primarily raised.



सत्यमेव जयते

CHAPTER XI

REPORTING, REGISTRATION AND INVESTIGATION OF OFFENCES

151. Regulation XXII of 1793 prescribed the procedure for reporting and recording of information about crimes. The information could be preferred in writing or the "Police Daroga" himself recorded the statement of any credible person acquainted with the case on oath or on solemn affirmation. If the complaint was of a trifling nature, it had to be written on a stamped paper bearing a duty of eight annas per roll. The obvious purpose for this provision in law was to check litigation over petty matters.

When the Code of Criminal Procedure was enacted, crimes were classified into cognisable and non-cognisable. It became the statutory duty of the police to institute a case relating to cognisable crime on the report made either orally or in writing but not on oath and to proceed with its investigation. Section 23 of the Indian Police Act (Act V of 1861) enjoins on every police officer the duty "to detect and bring offenders to justice and to apprehend all persons whom he is legally authorised to apprehend, and for whose apprehension sufficient ground exists.....". The same Act provides for a police officer to lay information before the nearest magistrate of certain forms of crime and if necessary, to obtain summonses, warrants and other legal processes as may, by law, be issued against any person committing an offence.

A. REPORTING OF OFFENCES

152. Opinion of the witnesses appears to be sharply divided with regard to the reporting of offences to the police and suppression or minimisation of crime. Many witnesses have stated that due to lack of facility of communication, distance and sometimes apathy of the people, cases are not reported and if they are reported, it is done with great delay. As regards the more heinous cases, the volume of evidence indicates that generally, information about them is now promptly conveyed to the police-station and the Commission are of the view that such cases are seldom suppressed by people or the police. There is, however, a universal complaint that in many cases, particularly of dacoity and riot, the victims or their advisers themselves do not give out the whole truth, particularly with regard to the complicity of the suspects or even about the nature and truth of the crime. Several witnesses have stressed that such a contingency has handicapped the police considerably in finding the truth about such crimes. Superior officers of the police and also some non-official witnesses have indicated in their evidence that there is now more awareness, particularly in the superior ranks to prevent suppression of any crime by the police. They are enjoined to make personal enquiries regarding suppression of crime during their tours. Severe departmental actions have been taken on many occasions against those officers who have been held to have been a party to either suppression or minimisation. The reporting of crime by the Rural Police, however, is believed to be not very satisfactory. It is said that these part-time employees, working under the stresses and strains of local politics, do not always faithfully and promptly report all crimes to the police but the Commission are of the view that some of them discharge this vital duty fairly satisfactorily. If reporting of crime in the rural tracts has suffered, it has been largely due to the apathy of the people who are required by law to inform promptly the police of a cognisable crime. Sometimes, ignorance, illiteracy and poor means of communication are some of the causes of unsatisfactory reporting of crimes. The standard of reporting is also believed to be low in the tribal areas. The Commission are, however, satisfied from the evidence available to them that the above factors do not generally operate in the urban areas and, therefore,

there is hardly any wilful non-reporting of crime in such areas, except that people are not always ready to inform the police of petty thefts and some feel that due to poor rate of detection and the unnecessary harassment entailed in the lodging of such information, it is irksome to invoke the assistance of the police. For perhaps similar reasons, crimes occurring on the railway are also sometimes not reported by the passengers.

It has been expressly provided in the Code of Criminal Procedure that certain persons shall give information regarding the commission of any offence and failure to discharge this responsibility is made penal under sections 176 and 202 of the Indian Penal Code. Section 44 of the Code of Criminal Procedure makes it obligatory on "Every person aware of the commission of, or of the intention of any other person to commit" certain serious offences therein specified to lay information forthwith to the nearest magistrate or police officer. Section 45 of the same Code directs that every Village Headman including a Mukhiya and village police-officer and certain others "shall forthwith communicate to the nearest magistrate or to the officer-in-charge of the nearest police-station, whichever is the nearer, any information", which they must possess in respect of certain classes of offenders; the occurrence of any sudden unnatural or suspicious death or any other matter likely to affect the maintenance of public order, prevention of crime, or safety of person or property.

Those are wholesome provisions of law in the view of the Commission as the starting point of police action connected with investigation work. These provisions, however, do not absolve the police from getting information from their own sources for the institution of a cognisable crime. So far, the police have been depending almost entirely on the Rural Police and on the victims of crime themselves to report cases from the rural tracts; as for urban areas, the information is generally conveyed to the police by the victim or his agent.

The method of reporting of cases, in the view of the Commission, has to improve considerably in the rural areas. With the amendment to section 45 of the Code of Criminal Procedure, the Mukhiya of a Gram Panchayat is now statutorily responsible for the reporting of crime to the police. This obligation, the Mukhiya can easily discharge, if the Rural Police and his own Village Volunteer Force headed by the Chief Officer are trained to convey information to the officer-in-charge of a police-station whenever any cognisable crime occurs. The Commission desire that the authorities should ensure that the responsibility of reporting cases is properly discharged by both the official and non-official agencies as provided for in the law. This is necessary, for it has been suggested before the Commission by many witnesses that a fair number of petty offences are not generally reported, particularly from the rural parts. The institution of Gram Cutcherry has simplified considerably the administration of law in the rural areas and certain kinds of cognisable cases need not now be reported to the police. The victim can approach the Gram Cutcherry for redress as soon as such a case is reported and he is saved the inconvenience of travelling a long distance to go to a police-station. Those offences which the Gram Panchayats are not competent to deal with under the law have to continue to be reported to the police or the magistrate. The police have to ensure that their own agencies, including the Rural Police personnel are always competent and willing to take a report to the police-station. The Indian Police Commission of 1902-03 suggested that Village Headmen should be supplied with bound books, properly paged and with counterfoils for sending written reports to the police and wherever possible, a copy of the report should be sent directly to the nearest magistrate having jurisdiction. This precaution was suggested previously to provide an effective check on the police. In view of the prevailing illiteracy, the Indian Police Commission, however, cautioned that there should not be unnecessary insistence on this procedure as what was more important was to ensure prompt receipt of information at the police-station and, therefore, in serious cases, oral information could be sent through messengers. The Commission consider that it would not be desirable to encourage written reports on a prescribed form being sent from the village. Such a procedure may lead to confusion. The present system of encouraging the victims of crime or their agents to file

written complaints before the magistrate or the police may continue, but people should not be discouraged from making oral reports which have to be reduced into writing by the officer-in-charge of the police-station or under his direction as contemplated in section 54 of the Code of Criminal Procedure.

Better reporting can also be ensured if the police took the ordinary precaution of causing as little inconvenience to the complainant or the informant as possible. A congenial atmosphere must prevail in a police-station and the staff must always act with patience and sympathy. If police efficiency improve and a sympathetic treatment assured, there is no better way of inducing victims to seek the assistance of the police as required by law.

B. REGISTRATION OF OFFENCES

153. Any report of a cognisable crime reduced into writing constitutes, what is commonly called, the first information report which is drawn up under Chapter XIV of the Code of Criminal Procedure (section 154). This report is the starting point of a police investigation into a cognisable crime and elaborate instructions have been incorporated in Chapter VIII of the Police Manual regarding the reporting and registration of crime. After having considered the procedure for proper and prompt reporting of crimes, the question that merited examination was whether the present system of recording of the first information report was satisfactory and the procedure that was adopted to ensure the faithful recording of it was essentially sound. Several witnesses have complained before the Commission that first information reports are not always recorded properly and some police officers are apt to prepare the report in a manner that might either suppress the complaint or minimise it to an extent that the gravity of the offence is lost or sometimes the facts are so twisted that they cannot help them in finding the truth which is their paramount duty to find. A large number of witnesses including judges and other senior police officers have said that sometimes cases though promptly reported are not properly recorded and not often the complainants or their informants themselves make exaggerated reports. In this connexion, the Commission have also been informed that in the rural areas, a class of semi-educated gentlemen have adopted the profession of guiding the complainants or informants and sometimes even offer to lodge personally information of crimes at police-stations. These self-appointed advisers often exercise baneful influence on the recording of the first information reports and it is said that it is always their endeavour to establish unhealthy contacts with the local police officers. The Commission expect that once the basic factors that induce this undesirable situation are removed, the recording of the first information reports should be faithful and proper. The various recommendations that have been made in this Report, the Commission hope, should tone up the administration at the level of the police-station and such complaints should be rare; smaller jurisdictions, qualified and adequate staff and superior calibre of officers-in-charge should make the police at this level as much above reproach as possible. The other factors, for example, illiteracy, poor means of communication, and the influence of professional touts are also likely to disappear with the growing educational, social, economic and cultural development of the masses. A suggestion has been made that the power given to the police to record the first information should be taken away from them and be vested in the magistrates. The Commission reject this suggestion as unpractical and also unwarranted by law.

To ensure that first information reports are instituted at the proper time when made by the informants, it is essential that their arrival should be accurately recorded in the station diary maintained at every police-station. The existing departmental order that irrespective of any entry that is required to be made under the law and the rules, the station officer must record every two hours an entry to indicate the passage of time and to prevent any interpolations, appears to be sound and should be enforced rigorously. The Commission also consider it desirable that the existing rules for the supply of a carbon copy of the first information report to the complainant is wholesome and the recording of it should be

witnessed. It has been reported that the rule governing this procedure has been haphazardly observed. This is deprecated. If necessary, a panel of reliable witnesses including the Sarpanch or the Mukhiya should be drawn up for every police-station by a superior officer and one from the panel could be requested by the officer-in-charge of the police-station to witness the recording of the first information report and the fardbeyan which is recorded when the information is received away from the police-station. The Commission attach considerable importance to the incorporation of the fardbeyan in the case diary and to the timely despatch of a first information report from the police-station at the earliest opportunity to the magistrate and the superior police officers. These reports must be despatched by the quickest possible means and the provision that such reports relating to heinous crimes like dacoity, murder and other cases exclusively triable by Sessions should be sent by a special messenger—should be rigorously enforced. The magistrate's copy of the first information report should be similarly despatched. Wherever facility for wireless or telephone is available, the next superior police officer must be informed of the report of a heinous crime by the officer recording the information. The officers including the officer-in-charge of the police court office receiving the first information report must properly stamp and initial it to indicate the date and time of the receipt. These precautions already exist but have to be properly ensured.

There was considerable discussion whether information conveyed through telegram, radiogram or over the telephone could be interpreted as a first information report. The Commission are of the view that in this regard the discretion must be left with the officer-in-charge of a police-station. The present practice of recording the information conveyed through such a communication in the station diary need not be altered, but such an entry must always become the starting point of a police investigation.

Many witnesses including Sarpanches and Mukhiyas of the Gram Panchayats have complained before the Commission that there is some confusion and also a certain amount of non-co-operation with regard to the institution of cases which are now triable by the Gram Cutcherry under the Bihar Panchayat Raj Act. On the other hand, several police officers have also stated that cases which ought to be investigated by the police are not referred to them. This is a matter which has to be settled satisfactorily and the Commission recommend that apart from issuing departmental instructions, rules should be framed in the Police Manual to prevent any misunderstanding or confusion. Much of this trouble would also be obviated if measures were adopted to ensure proper liaison between the police-station staff and the Gram Panchayat officials and lists of cases instituted by the Gram Panchayats supplied to the police who must invariably refer any case triable by the Gram Cutcherry to the Panchayat.

C. INVESTIGATION

154. During the course of their tours and their examination of witnesses no complaint has been so universally made before the Commission as that regarding the poor quality of police investigation. There seems hardly any doubt that the standard of investigation on the whole has been very deficient. While there may not be anything inherently wrong in the present system of investigation, the complaint is that the manner, in which the actual investigations are done, leaves much to be desired. They are generally inefficient, frequently dilatory and in some instances, indifferent and dishonest. It has also been suggested by many witnesses that there is no anxiety on the part of the investigating officer to find out the truth and he is mainly concerned with obtaining a conviction. Investigations are often stereotyped and most of the investigating officers are not keen to examine the various theories in their correct perspective to come to the right conclusion as far as possible. Several witnesses have, however, said that the primary reason for deficiency in investigation is the inadequacy, both in number and in the quality of the staff at the police-stations which have

generally large jurisdictions. Consequently, investigations have to be entrusted to incompetent officers who are not trained in this kind of work or to those who are overworked and harassed. It is also said that the scheme of recruitment and training is somewhat defective. In addition, long distances, poor means of communication which are almost non-existent in certain parts and lack of facility for medico-legal work and for seeking the aid of science are some of the genuine handicaps which have to be overcome.

The Commission have examined certain figures and statistics and it appears that the rate of detection, particularly of some of the staple forms of crime, like burglary and theft, is disconcertingly low. The result of the investigation of more heinous cases is, however, slightly better. The Commission are of the view that considerable leeway has to be made up if the standard of investigation is to be raised.

The Indian Police Commission of 1902-03 found that one of the complaints most pressed in this connexion was the impropriety in getting police officers who were not trained to investigate cases being given the powers of investigation and strongly expressed their concurrence in this condemnation. In their view, the lowest rank of the investigator should have been that of a Sub-Inspector of Police who was to be directly recruited. These recommendations in the course of time got whittled down and the position today is far from satisfactory. The Law Commission of India, set up recently, also examined this subject in great detail and their findings and recommendations are contained in Chapter 34 of their Report. They also found that in complicated cases, investigations were particularly dilatory and the quality invariably poor. The investigating officers lacked adequate training and the police-stations were under-staffed and their territorial area unwieldy. It was suggested by them that as far as possible, investigation of an offence should be undertaken by a single officer with the assistance of junior officers, wherever necessary, and that investigation of serious offences should be taken over by senior officers like an Inspector or a Deputy Superintendent and an attempt should be made at separation of the investigating agency from the police staff assigned to the enforcement of law and order.

The Commission think that the weighty views that have been expressed in the above paragraph deserve a most careful consideration and have anxiously tried to examine how best the whole investigating machinery of the police could be geared up to discharge this very onerous responsibility. The Commission in their recommendations in the reorganisation of the police-stations have suggested certain changes, both in the officering and the scheme of recruitment, which should obviate the necessity of investigation being conducted by anyone but a qualified investigator. In the view of the Commission, the lowest rank of an investigator should be that of an Assistant Inspector, duly qualified and trained for investigation work. He should also have the necessary training to learn to seek the aid of science. The jurisdiction of an average police-station is to be smaller and the yardstick determining the strength of the investigating staff has been recommended to be made more manageable. An effort has also been made to raise the mobility of the police-station officers and to make supervision more effective. The recommendations of the Law Commission with regard to entrusting the investigation of complicated cases to Inspectors will easily be implemented as the Inspector officer-in-charge will conduct most of the important investigations. As regards the separation of the two functions of law and order and investigation of crime, the Commission examined this matter at considerable length. It is no doubt true that the majority of witnesses appearing before the Commission have advocated separation but in a limited way. Some judges and lawyers have recommended separation in the manner it has been achieved in the Western countries and they are obviously so perturbed with the poor quality of investigation that they consider that separation alone can raise the standard. The Commission are, however, of the view that law, as it is constituted in India, will present certain legal and practical difficulties in implementing such a well defined separation. The integrity and responsibility of the officer-in-charge of a police-station

should not be disturbed and co-operation between the members of the staff at the police-station must be assured. If he has the necessary assistance of qualified investigators, there is no reason why the standard should continue to be low. The Commission have also recommended the setting up of District Crime Bureaux and the appointment of specialised investigators to be attached to them. They will readily be available to assist the police-station staff in the investigation of complicated cases. The functions of the Crime Branch of the Criminal Investigation Department are also to be enlarged and they will no doubt take their due share of investigation of highly professional crime with wide ramifications. Then again, the Commission think that in the bigger cities like Patna and Jamshedpur, the central police stations will depute the investigators required for the more important cases and not only will it result in the investigation getting a more undivided attention as suggested by the Law Commission, but it will also help in promoting specialisation. Many witnesses have suggested that in order to facilitate good investigation, police officers need not wear uniform while conducting them. This is the practice that generally obtains in the United Kingdom. The Commission, however, do not accept this view as police officers here will not be entirely committed to investigation and may have to face any law and order situation at any time. The detective officers who are attached to the Criminal Investigation Department or the District Crime Bureau will, however, investigate cases in plain clothes.

155. The Commission are firmly of the view that whatever steps are taken to improve the quality of the investigating officer, he can never be successful unless he follows certain cardinal principles of investigation. He must learn to visit the scene of crime as expeditiously as possible and to inspect it methodically and patiently. His interrogation of witnesses should guard against accepting the suspicion of witnesses and complainants whenever they conflict from the obvious inferences from facts. He must use his own expert observations and not act merely as recorder of statements. He must show the utmost of courtesy and consideration to the witnesses and victims if he wants to ascertain the truth from them and must always desist from the temptation of obtaining information under duress. He should never prematurely commit himself to any preconceived theory and he must make his investigation broad-based and be always ready to seek the aid of science. His investigation would be more thorough if he learns to look for material clues like finger-prints, foot-prints, stains of blood, fibre, etc., which could through scientific process furnish good evidence. He must realise that witnesses may sometimes lie to side-track the investigation but circumstantial evidence based on scientific analysis is always infallible. In order to facilitate scientific investigation and to obviate unnecessary delays in getting such an aid, the Commission have recommended that every district should have a small scientific section with a mobile laboratory and greater stress should be laid during the period of both basic and in-service training on the scope and possibility of the use of scientific methods. These methods will not be of much avail unless clues are preserved at the scene of crime before the arrival of the investigating officer and the experts. Everyone including the village officials should be encouraged to learn how to preserve the clues, for, it is essential that they should not be obliterated before they are handled by the experts.

The Commission have to observe that at present considerable delays occur in getting reports of the Chemical Examiner of Bengal and it is hoped that the Forensic Science Laboratory will be able to deal with chemical analysis promptly. The Commission have already recommended that the State Forensic Science Laboratory should be set up without any further loss of time. This laboratory, the scientific sections of the State Criminal Investigation Department and the district units, should encourage investigating officers to make more exhaustive use of the available scientific aids. To ensure that all investigating officers have the means to discover, isolate and lift or record the material clues available at a scene of crime, it is necessary that they should be equipped with an Investigator's kit box, which has already been designed in this State and also develop powers of observation.

156. The Commission wish to emphasise that all facilities for use of scientific aids and improvement in the quality of investigating officers would not be of much avail, if scenes of crime are not preserved and kept intact till the arrival of the investigating officer and the experts. The place is generally disturbed by the victims and their sympathisers, largely due to their ignorance and curiosity. In urban areas, this handicap is not serious as investigating officers can reach scenes of crime quickly but in the rural areas, disturbance of the scenes of crime frequently obliterates valuable clues. The Commission consider it necessary that some steps should be taken to prevent it. A course of training to the members of the Rural Police, the Village Volunteer Force and other village officials combined with intensive educative propaganda, both in the rural and urban areas, through the press, the radio, the State Public Relations Department and crime exhibitions should be able to bring about the desired awareness. It is also necessary that constables and Head-constables are made fully conversant with the scope of scientific aids to investigation and are trained how to preserve the material clues at a scene of crime.

157. The attention of the Commission has been drawn to the prevailing non-compliance with rule 176 of the Police Manual. They are informed that in a large number of cases, the investigating officers do not properly prepare maps or plans of the scenes of crime. There is no doubt that a correct map, drawn to scale, is of considerable assistance both to the investigating and the supervising officers as well as the trial courts in appreciating the lie of the land in relation to the crime and reference to any such map clarifies the evidence in a number of cases, particularly of riots, dacoities, motor accidents and murders. The Commission desire that the provision of this rule must be enforced rigorously and recommend that every district should have a properly trained plan drawer who could undertake map drawing in all important cases. He should prepare it in three copies so that a copy is made available to the court and the accused. This is, however, not enough; every investigating officer should also be given a proper course of training in map drawing so that he is ordinarily able to draw a map to scale of a scene of crime and append it to his case diary. In the more difficult cases, the services of the plan drawer, who should be attached to the District Crime Bureau, should be requisitioned.

158. It seems to be the view of majority of the witnesses that the present standard of medico-legal work needs improvement; reports on injuries and of *post mortem* examinations are sometimes cryptic and unhelpful and occasionally misleading. This deficiency, according to some witnesses, is due to lack of care and attention on the part of some medical officers, inadequacy of equipment in some of the morgues and absence of any specialised training in this type of work. Exception has also been taken to the delay with which injuries and dead bodies are examined and the reports received. There is also delay in despatching dead bodies to the morgues. The Commission consider it essential that no delay should be allowed to intervene and therefore facilities for examination of injuries and of dead bodies should be available within reasonable reach. The Commission recommend that a few Block Development Headquarters in inaccessible areas should be equipped for medico-legal work and the doctors posted to these blocks should be specially selected for their experience and training. This is also the view of the Central Medico-Legal Advisory Committee who has advised the State Government on similar lines. The Commission desire that this important subject must receive the attention of the State Government urgently. It would also be useful, in the view of the Commission, to revive the defunct Medico-Legal Society, which claimed as its members, people drawn from the legal and medical professions as also judges, magistrates and police officers. This society could well be started again at Patna under the auspices of the Patna Medical College.

159. No further time should be lost in establishing the State Forensic Science Laboratory as investigations and trials of cases are reported to have State Forensic Science Laboratory. often been unnecessarily prolonged on account of inordinate delay in receiving opinions of experts from the laboratories outside the State. The Commission consider it extremely desirable that opinions of experts are available to the investigating officers and the trying courts within a reasonable time and they are in no doubt that once the State Forensic Science Laboratory starts to function, much of the present delay will be avoided. This Laboratory should work under the Political Department of Government and should not be a part of the police organisation. There should, however, be an officer of the rank of Chief Inspector attached to this Laboratory to ensure close liaison between the police and the Laboratory as also the security of exhibits.

160. The present rules of the Police Manual requiring supervision of investigation of cases by superior police officers have invited conflicting Supervision of investigation of cases. views from the witnesses; a few seem to think that the present rules are sound and do not require any change but the majority of the witnesses are of the opinion that on account of the overall increase in the volume of police work, the present rules are not quite adequate. Many senior police officers including the Inspector-General of Police, Bihar, have categorically stated that it is not physically possible now for a Superintendent of Police to supervise the investigation of all special report cases as enumerated in Appendix 3 of Volume III of the Police Manual. The Commission accept this point of view and recommend that the Superintendent of Police should be given necessary assistance to share with him the supervision of special report cases. The assistance should be from an officer of the rank of Assistant or Deputy Superintendent of Police, who, as already proposed by the Commission, will act as the second officer in the district. It is, however, the desire of the Commission that there should be no lack of effort on the part of the Superintendent of Police to supervise personally investigation of all cases of professional dacoity and murder and certain cases of professional swindling. He must also supervise a few cases of burglary and theft as otherwise he cannot effectively guide his subordinates in so far as the prevention of these staple forms of crime is concerned. The second officer of the Superintendent should supervise all the other special report cases and such other cases that are entrusted to him. Between the Superintendent of Police and his second officer, duplication in the supervision of the investigation of cases would be avoided as it not only leads to confusion and results in delay but also tends to make the responsibility so divided and diffused that it becomes difficult to fix the responsibility with regard to any defect in the investigation. The same has been the reason for the Commission to recommend the abrogation of the post of Subdivisional Police Officer as his supervision and that of the circle officer were unnecessarily duplicated. There was a large measure of unanimity amongst the witnesses, both official and non-official, that the standard of supervision by the first line of supervisors, namely, the circle officers, was of a poor standard and the Commission have also recommended earlier that the post of circle officer should be held by Chief Inspectors, who will be better trained, better paid and of higher status. They should be required to supervise all special report cases with the least possible delay. It should also be their responsibility to ensure that all orders passed by any superior supervising officer are promptly and faithfully carried out and that all routine steps that have to be taken by the investigating officer are not overlooked or delayed. The Commission also desire that all supervising officers must visit the scenes of crime without delay and their supervision at the spot must be intensive and thorough. Several witnesses have complained before the Commission that sometimes supervising officers avoid visiting scenes of crime and return to their headquarters from a point easily accessible. Such a supervision naturally tends to be formal and superficial. If this is so, the Commission cannot find words strong enough to condemn it. It is also the view of the Commission that the supervision of the investigation of a case should be a continuing process and must not cease

with the submission of the first supervision note. It is the duty of the supervising officer to scrutinise the case diaries personally and to watch closely the progress, subsequent to his supervision. It should be ensured that instructions for further investigation are made over to the investigating officers at the spot and the supervising officers will be well advised to prepare their supervision notes before they return to headquarters. They should ensure prompt despatch of exhibits for expert examination and make an earnest endeavour to find the truth. For any defect in the investigation, the responsibility must be shared by both the supervising officer and the investigating officer, unless the defect is due to causes beyond their control.

The supervising officers should also find time, if the cases are sent to court for trial, to arrange discussions with the Public Prosecutors and to ensure that they are adequately briefed. The Commission expect the Assistant or the Deputy Superintendent of Police and the Chief Inspectors to attend trials of important cases. The Superintendent of Police, being generally busy, may not always find the time to attend all important trials but it would be desirable that he watches as many of them as possible.

The Commission then examined the various provisions of law relating to institution and investigation of cases. Several senior and experienced lawyers, as also many judges, police officers and the Bihar Police Association, have stated that no amendment of law is required and if the provisions in Chapter XIV of the Code of Criminal Procedure on "Information to the police and their powers to investigate", are rigorously enforced and faithfully followed, there should be no cause for any apprehension. The Commission are of the opinion that the police should be primarily concerned with the investigation of cognisable cases. Many witnesses have said that even when there are other agencies available to the authorities, enquiries relating to non-cognisable crimes are sometimes entrusted to the police. The Commission are of the view that when there are Block Development Officers, Anchal Adhikaris and the officials of the Gram Panchayat available for such enquiries, the police should not be burdened with them. Law has also given the police some discretion in refusing investigation of a cognisable crime, vide section 157 of the Code of Criminal Procedure. There has been nothing in the evidence recorded by the Commission to indicate that this discretion has been wrongly used by the officer-in-charge and the limitations that have been imposed in Police Manual rule 160 on police officers exercising this discretion provide sufficient safeguards. There was some conflict in the opinion of many witnesses regarding the method adopted by police officers in recording statements of witnesses in compliance with section 161 of the Code of Criminal Procedure. The Law Commission and some witnesses have recommended that any statement recorded by the police during the course of the investigation of a case should be recorded verbatim and the statement should be signed by the witness. The Commission are not wholly in agreement with this view. Where witnesses are educated, they may sign their statements but it would be undesirable to insist on it in all cases. The Commission have a fear that the insistence on a witness signing the report may deter him from making a free and frank statement before the police who are committed to elicit the truth. The Commission are, however, of the view that whenever such a statement is recorded, it should be normally in the words of the witnesses. In any case, there is no justification yet, in the view of the Commission, to amend the provisions of section 161 or 162 of the Code of Criminal Procedure.

161. Connected with the above subject is the much debated question of making the statements or confessions made before the police admissible in evidence. No confession made to a police officer can be proved against a person, accused of any offence, vide section 25 of the Evidence Act. There is sufficient evidence, both of officials and non-officials, supporting an amendment of this section so that confessions recorded by at least superior officers of and above the rank of Deputy Superintendent of

Police are made admissible. Some witnesses have gone to the length of suggesting that section 25 attracts the provisions of the Constitution and is *ultra vires* to it as it makes a distinction between one class of citizens, namely, the police officers and another. It has also been urged that confessions made before police officers, irrespective of the rank, in the United Kingdom can be proved in court and it is undesirable to continue to debar the police officers in India in this regard, as frequently valuable evidence is lost. Another point urged in favour of authorising police officers to record confessions for being used against the accused was that there is such considerable delay in the recording of confessions by magistrates that generally the accused persons retract from their confessions when the actual recording begins. This may be so, but the Commission consider that any confession which can be relied upon should be made willingly and voluntarily without any threat or inducement. It is, however, necessary that undue delay should not occur in recording of confessions and the Commission recommend that the attention of Subdivisional Magistrates must be pointedly drawn to prevent unnecessary delays. The Commission have examined this question with very great care and have come to the conclusion that for the present no amendment to the law is necessary. It would be undesirable to distinguish one rank from another for such a purpose and if confessions made before police officers have to become relevant, it would be much more useful if such statements made before investigating officers could be proved. The Commission are not prepared to make such a recommendation and desire that the police should not, as far as possible, depend on confessions for proving a case.

162. Section 165 of the Code of Criminal Procedure authorises a police officer engaged in the investigation of a case to search premises for the purposes of investigation. He must do so after recording in writing the grounds for such a search.

Search and seizure.

Considerable evidence has been laid before the Commission to indicate that house searches and seizure of property by police officers are sometimes made on frivolous grounds. Seldom are the grounds for a house search properly recorded before its commencement and sometimes such a search is said to be vexatious. Unless the property to be seized is very similar to the description of the property stolen, it should not be seized merely for the purpose of test identification. If searches and seizures come to be conducted properly, it may not be necessary to follow the present elaborate procedure of securing the presence of gentlemen of standing from the locality to witness the search; but in the present context, the Commission would not recommend, as suggested by some witnesses, any abrogation of the existing procedure. If these complaints are true, the Commission cannot but condemn it strongly for unnecessary and haphazard house searches prove of no advantage to the investigation and, on the other hand, antagonise the people not only against the police but against the entire administration. A member of the Gram Panchayat Executive Committee or a Panch should invariably be requested to witness a search.

163. It has also been suggested by many witnesses that the discretion regarding arrests of accused persons and suspects is wrongly used by the police and suspects are sometimes arrested without good reason and occasionally to appease the vanity of

Powers of arrest.

the complainants. Some have even suggested restricting drastically the powers of arrest. The Commission would, however, consider this to be a retrograde step; but if it is true that arrests are made as stated by some witnesses, preceding the collection of evidence rather than following it, the practice must cease forthwith. Arrests for purpose of identification without any other evidence available is generally unjustified. It should be the duty of the supervising officer to ensure that the police do not make an arrest unless there are sufficient grounds for it. There is also a universal complaint that accused persons who are sent up are sometimes allowed to suffer long detentions in intermediate custody. This is unsatisfactory, and the provisions of Police Manual rule 224 should be rigorously enforced and whenever remands exceed the period prescribed or required, the superior officers

must promptly apply their minds to the application for remand before it is preferred before the magistrate. This is one of the reasons why many witnesses, including some senior lawyers, have suggested that investigation of cases should be completed within a prescribed period. While it would not be desirable to fix any period, it is essential that through cautious supervision, superior officers must ensure speedy investigation and, in no case, should allow an accused person to be detained awaiting trial for an unnecessarily long period.

164. The law relating to grant of bail by the police and the magistrates was then examined. Evidence has been laid before the Commission to indicate that sometimes persons accused of heinous cases, when enlarged on bail, again commit crime. A few concrete instances have been quoted by some of the witnesses to prove this point. It has also been said that some people hovering round law courts have adopted the profession of offering themselves as sureties although they may have themselves very undesirable antecedents. Sometimes bail is granted because of the inadequacy of evidence that is available to hold the accused and it has been alleged that when police officers forward the accused persons for intermediate custody, they do not acquaint the Public Prosecutors with all the facts leading to the arrest and the justification for detention. This is unsatisfactory and the Commission desire that whenever any accused person is forwarded in custody, the case diary dealing with the arrest, should be forwarded simultaneously in order that both the Public Prosecutor and the Presiding Court are made cognisant of the circumstances in which the arrest was made. Shri (now Justice) Kanhaiya Singh suggested in his report submitted as Special Officer that the magistrates should satisfy themselves in each case regarding the sufficiency or otherwise of bail bonds. This duty should not be delegated to the ministerial officers, otherwise it would be open to the same objection as that suggested in the existing practice. He has prescribed the following form in which certificate of fitness should be given by the identifier :—

“I hereby certify that the bailer is personally known to me, that the properties mentioned in the bail bond belong to him and are in his possession, that he has appended his signature (or thumb impression) to the bail bond in my presence and that he is a fit person to stand as bailer.”

The Commission commend it to Government and the High Court for its adoption. Presiding Courts may take into consideration affidavits sworn by sureties with regard to their assets and facilities should be provided during court hours for swearing affidavits.

165. A number of police officers have suggested that the present system of writing case diaries does not serve any useful purpose and section 172 of the Code of Criminal Procedure should be so amended as not to compel the writing of diaries, particularly in simple cases. Some members of the Legislature also seem to hold the same view but many judges, lawyers and senior police officers do not subscribe to it and they suggest that case diaries should continue to be written as contemplated in section 172 of the Code of Criminal Procedure. There have been several rulings to suggest that statements recorded under section 161 of the Code of Criminal Procedure which form part of the case diary should be recorded *in extenso* and certain departmental instructions have already been issued in this regard. Some witnesses have stated before the Commission that these instructions are not being carefully observed. The Commission desire that these instructions must be strictly followed. Several police officers have suggested that statements recorded under section 161 of the Code of Criminal Procedure should be kept separate from the case diary, recorded as such under section 172 which requires a police officer making an investigation to enter therein, day by day, his proceedings in the investigation, “setting forth the time at which the information reached him, the time at which he began and closed his investigation, the place or places visited by him, and a statement of the circumstances ascertained through his investigation”. The Inspector-General of

Police, Bihar, had submitted a recommendation to Government in 1958 on the lines of the advice of Justice V. Ramaswami, I.C.S., of the Madras High Court, given in the Madras Weekly Notes, suggesting that investigating police officers should prepare their case diaries in two distinct parts; the first part should be prepared under section 172 and the second part, which should contain the statements of witnesses, under section 162 of the Code. The immediate advantage of the proposed system would be that it should be possible for the investigating officers to record statements of witnesses simultaneously and always in the "direct narration". Incidentally, the Commission would recommend that the statements should be promptly verified and ascertained if the circumstances in which the witness made the statements were present; for example, if he says that he witnessed the occurrence while reaping a harvest it should be verified if the standing crops were actually cut.

The various steps taken during the day can be recorded in the other part of the diary at the end of the day as suggested in sub-section (1) of section 172 of the Code. At present, this convenience is not available as any step of investigation preceding the recording of statements of witnesses has to be entered in the diary first and this necessitates the investigating officer adopting a cumbersome procedure for he feels compelled to make rough notes of the statements and then incorporates them while writing his diary later in the day. This is unsatisfactory. The second advantage of the proposed system would be that it would be convenient to supply copies under section 173 of the Code of the statements on which the prosecution wishes to rely. It will also not be necessary to supply the typist with the whole of Part I but only of such portions that the prosecution relies on to prove the case. Part II could always be handed over to him for expeditious copying work. The Commission are wholly in agreement with these views and recommend that case diaries should be prepared in two parts. The present case diaries printed in Form No. 30 can be conveniently supplied in two parts. Part I will be in white paper and Part II in any suitable coloured paper. The pages of each form of the two parts will bear separate consecutive serial numbers and cross reference to the pages of Part II will be mentioned at relevant portions of Part I. Both the parts of the case diaries of the day will be separately tagged and then clipped together before being despatched to the superior officers. The Commission recommend that suitable orders may now be issued on the proposal submitted to Government in 1958.

The Commission then considered the mechanics adopted for despatch of case diaries. The present system of noting their despatch in the station diary should continue and they also recommend that a separate receipt and despatch register should be maintained in the police-station. Complaints have also been voiced regarding inordinate delays in preparing case diaries and submitting them to the various officers. Whenever there is any delay or gap, the investigating officer must fully explain it and it should be the duty of the supervising officer to ensure that the reasons for delay are adequate. Case diaries should invariably be prepared in quadruplicate. One copy of the case diary should be sent to the Police Court Office for the use of the magistrate or the judge and the Chief Prosecuting Officer, if they require to refer to it; one copy to be sent to the District Court Office, the other to the Chief Inspector in charge of the circle, the original being retained at the police-station. In special report cases, the copy meant for the District Court Office should be sent forthwith to the Superintendent of Police who should send it to the Police Court Office to be made available to the District Director of Public Prosecutions and the Presiding Courts as and when required. The case diary should be sent to the officers by name in a sealed cover and the addressee alone or in his absence, the next in rank should open the envelope. In no case will it be opened by an officer performing clerical duties. The case reference, the serial number of the diary and the date of despatch should be noted on the top of the envelope to facilitate check and filing work without having to open the envelope by the office. In the Police Court Office, the seniormost officer-in-charge of the court should himself receive these envelopes and keep them sealed

in his personal custody and submit them whenever required by the magistrate, or the judge or the District Director of Public Prosecutions.

There was conflicting evidence with regard to the supply of copies of case diaries to the accused. The Commission are in agreement with the recent amendments that all those portions of the case diaries which contain such matters on which the prosecution proposes to rely should be made available, i.e., invariably the proposed Part II and such portions of Part I of the case diary as required by law should be made available to the accused. As regards allowing copies from Part I or Part II of the diary to the accused or his lawyer or his relative duly authorised for the purpose of arguing in favour of a bail application, the discretion must be left to the Presiding Court and on hearing the views of the advocates of both parties, appropriate orders should be passed.

166. Section 174 of the Code of Criminal Procedure provides for enquiries into cases of suicide and other unnatural deaths. Senior police officers including the Inspector-General of Police, Bihar, are of the view that the Coroner's system as prevalent in Calcutta should be introduced for urban areas and for rural parts, some police officers think that this work should be entrusted to the Mukhiya. Some lawyers and the Inspector-General of Police, Rajasthan have advocated that the first information report should be registered in all unnatural death cases and should be properly investigated. The Commission concur in this view and suggest that an officer not below the rank of Assistant Inspector of Police should generally be entrusted with investigation of such cases and the case diaries should invariably be written in all cases in which the investigation extends beyond a day, as is provided for in the departmental rules. The Coroner's system should, in the first instance, be introduced with advantage in the cities of Patna and Jamshedpur only. A legislation will be necessary.

167. Test Identification Parades are held under departmental rules framed in the Police Manual and there is no legal provision for them. Some witnesses have suggested that law should provide for them, as it is now a well accepted method of fixing the identity of a person in the presence of a magistrate; if properly held they furnish valuable evidence. The Commission do not consider any legislation necessary. Police officers should, however, ensure that the accused persons, who are to be put to test identification, are produced by the jail staff before the magistrate and that the witnesses are brought to the parade but they should not be present when the parade is actually held. The Commission accept these suggestions and recommend that comprehensive instructions should be given to magistrates how to hold test identification parades as sometimes the evidence gets vitiated due to ordinary mistakes that creep into their report. The forms should be so designed as to ensure that the value of the evidence is not lost. It has also been stated before the Commission that long delays occur in holding test identification parades and the veracity of such evidence, due to these delays, is frequently challenged as the accused sometimes claim that they had been seen by the witnesses before they proceeded to identify them. The Commission attach considerable importance to all these aspects of the system and recommend that test identification parades should be held promptly and properly if they are to serve any useful purpose. Many witnesses have said that delays in investigation and prosecution occur due to delayed test identification parades. It has also been suggested that the investigating officers are in the habit of asking for such parades to be postponed until all the accused persons who are suspected of complicity are arrested so that they are all put to test identification at one time. This practice, in the view of the Commission, is unsatisfactory and they desire that accused persons should be put to test identification as soon as they are arrested and forwarded to the magistrate. Delays are also reported to be due to the non-availability of magistrates. The Commission recommend that in every subdivisional headquarters there should be at least one magistrate who should never be a touring officer to hold readily test identification parades. This will also help in getting confessions, dying declarations and other statements under section 164 of the Code of Criminal Procedure recorded promptly.

CHAPTER XII

PROSECUTION OF CASES

A. PROSECUTING AGENCY

168. There is no uniformity in the organisation of the prosecuting agency in the various States in India but, generally, prosecution in magisterial courts is either in the hands of police officials or persons recruited from the Bar and called Police Prosecutors.

Present system.

Section 23 of the Indian Police Act (V of 1861) which provides that it is the duty of a police officer to bring offenders to justice, has been interpreted to mean that the responsibility for the prosecution in the magistrates' courts should devolve on the police, and continuing this idea, rules have been framed in Chapter XII of the Police Manual, fixing the responsibility for the prosecution of cases with the Superintendent and the responsibility in certain cases of importance even devolves on the Deputy Inspector-General. Another rule¹ provides that when the prosecutor is a police officer, the officer responsible for the supervision of the prosecution is responsible not only to see that the case is properly prepared, but also that it is well conducted in court; when the prosecutor is a lawyer, the responsibility of the Superintendent of Police is mainly with regard to the briefing of the prosecutor but not for the way the lawyer conducts the case in court². For prosecution of cases in the Courts of Sessions, lawyers have been appointed as Public Prosecutors under section 492(1) of the Code of Criminal Procedure and the control of the police with regard to prosecution work in these courts is limited only to briefing the prosecutors. The conduct of State cases in the High Court is controlled by the Legal Remembrancer and there is a panel of State Law Officers headed by the Advocate-General. The Legal Remembrancer is an *ex-officio* Public Prosecutor and it is his responsibility to instruct the State Law Officers for adequate representation and proper conducting of State cases.

The Indian Police Commission of 1902-03 were of the view "that a fair amount of legal knowledge and practice, combined with police experience, will ordinarily give the most useful class of men. The defects found in the prosecuting staff are just the defects found in the police generally. Men have been selected who are without adequate intelligence or education; duties have been assigned to men of a class from which efficient discharge of such duties cannot reasonably be expected; and suitable pay and prospects have not been offered to secure the best men available.....³. They recommended that for every Sessions Division, there should be a Public Prosecutor appointed from the Bar. These officers were to prosecute all Sessions cases and represent the Government in all appeals before the Sessions Judge. Besides these professional prosecutors, they had also recommended that there should be a competent and adequate staff of prosecuting police officers. There should ordinarily be a Court Inspector at the headquarters of every district with an adequate staff of Sub-Inspectors to assist him as the work might require for the prosecution of magisterial cases and a Court Sub-Inspector was also to be appointed for the headquarters of every subdivision. They were rather indefinite in their recommendation with regard to the yardstick that should determine the strength of the Police Prosecutors in the magistrates' courts but later, an Inspector as a Chief Prosecuting Officer was provided for each district,

1. Rule 245(c) of the Police Manual.

2. Rule 245(d) of the Police Manual.

3. Paragraph 177 of the Report.

one Court Sub-Inspector was appointed for 180 charge-sheet cases and one Assistant Sub-Inspector for each prosecuting officer, two constables for the hajat and malkhana, two for the Court Office and one each for the sitting courts; one Assistant Sub-Inspector and four constables were also appointed for the Court of Sessions.

This was the pattern of the organisation till 1944 when it was found that the yardstick of 180 cases for one officer was high and it was reduced to 150 cases a year for one Court Sub-Inspector, including non-cognisable cases and the various proceedings under the preventive sections of the Code of Criminal Procedure. The Court Sub-Inspector was also responsible for the maintenance of malkhana, hajat and other registers of the Police Court Office assisted by the Assistant Sub-Inspectors. Simultaneously, Government had introduced on an experimental basis a scheme in 1940 and extended later in 1944, whereby Assistant Public Prosecutors were appointed from the Bar, to replace the Court Sub-Inspectors. These lawyers, styled as Assistant Public Prosecutors were recruited on a fixed salary of either Rs. 200 or Rs. 100 per month. The two systems worked simultaneously and in 1949 neither was found to have worked as well as was expected and Government introduced a new system in 1951 when a cadre of Police Prosecutors recruited from the Bar, but trained as police officers, was created. The reason for introducing the new scheme was because of the general lowering of the quality of the prosecution work by the Assistant Public Prosecutors and the Court Sub-Inspectors. The new cadre of Police Prosecutors has been created in three ranks. The Senior District Prosecutors on the pay and in the rank of Deputy Superintendent of Police are appointed for the bigger districts where they are also to act as District Directors of Prosecutions and assist the Superintendents of Police in scrutinising evidence in all cases, point out gaps in the investigation and generally control the prosecution work in the magisterial courts. The District Police Prosecutors constitute the next lower rank and draw a pay slightly higher than that drawn by Prosecuting Inspectors of Police. They are law graduates, either directly recruited or departmentally promoted and placed in charge of the Police Court Office. They also prosecute cases before the magistrates assisted by the lowest rank in the prosecution cadre, namely, that of the Assistant District Police Prosecutors. These officers are also law graduates and are recruited from the open market by competition. After a course of basic training at the Police Training College and practical training under the Public Prosecutor and in the District Police Court Office, they are entrusted with the prosecution of cases.

169. Agreeing with the large volume of evidence available to them, the Commission have formed the opinion that the existing system of prosecution in the Magisterial and Sessions Courts has also not worked as satisfactorily as it might have. The Commission recommend that the entire prosecuting agency in the districts should be reconstituted as a department of Government under a whole time Public Prosecutor who should be designated "Chief Public Prosecutor and District Director of Public Prosecutions". The Law Commission of India have made similar recommendations and have suggested that he should be classed as a Law Officer of Government and the entire prosecuting machinery in the district brought under his control. It should be ensured that he is not deemed as a part of the Police Department and should be an independent official responsible to the State Government. The Commission agree that the principal functions of the District Director of Public Prosecutions should be as follows :—

- (1) He should be the head of the prosecuting machinery in the district and exercise administrative control over all the prosecutors in the Sessions and the Magisterial Courts of the district.
- (2) He should arrange for the prosecution of all cognisable cases, through the prosecuting agency and distribute the work among all the Public Prosecutors. He should himself conduct important prosecutions.

- (3) He should advise the Police Department, or other Government departments at the district level, on the legal aspects of a case, at any stage of investigation. His advice will be particularly helpful in difficult and important cases, like cases involving charges of conspiracy, fraud and forgery, cases based on circumstantial evidence and evidence gathered from account books, especially of business firms or corporations.
- (4) In important and difficult cases, he may, with the approval of the State Government, obtained through the State Director of Public Prosecutions, engage advocates as Special Public Prosecutors to appear in Sessions and Magisterial Courts on behalf of the State. Such a contingency should become more and more remote with the re-organisation that has been suggested in this chapter. The Commission have been informed that large sums of money are spent every year in engaging Special Public Prosecutors and they expect that the system recommended by them will greatly reduce the expenditure on this account.
- (5) He should directly receive by name from the police investigating officers, copies of the first information reports, final forms and other reports in the special report cases. Case diaries of such cases will be forwarded to him by the Superintendent of Police. As there will be no Subdivisional Police Officer, the copies of the documents at present sent to the latter, can be conveniently diverted to the District Director of Public Prosecutions who will scrutinise these reports and the case diaries with a view to offering appropriate instructions to the investigating officers for removing the defects, if any.
- (6) In all other cognisable cases, he should receive copies of the "briefs" in charge-sheet cases and of the final reports. He will scrutinise every charge-sheet before it is laid in the court so that, in case any difficulty or lacuna exists in the prosecution case, it should be possible to remedy it by further investigation. His scrutiny of the final reports should also ensure that there are adequate grounds for abstaining from sending the case to court.
- (7) He should examine all cases of acquittals, or cases where there is a conviction only for a minor offence, the accused having been acquitted of a more serious charge. This will enable him to find out the causes of acquittal and devise methods to avoid miscarriage of justice.
- (8) He should encourage the prosecutors to consult him freely in all cases of difficulty.

In the above scheme of control, the responsibility for ensuring that all cases are properly prepared and conducted in courts will now vest in the District Director of Public Prosecutions. The Superintendent of Police will be responsible only for ensuring that the District Director of Prosecutions and other prosecutors are properly briefed and given every reasonable assistance in studying the records and "briefs". The Superintendent will no longer be responsible for the way the prosecutor conducts the case in court and Police Manual rule 245(c) will have to be deleted.

The Commission recommend that for every Magistrate's district, there should be one such Director who should replace the Public Prosecutor. It is necessary to give him an office with a small library containing important law books of reference and law journals.

In England, a State Director of Public Prosecutions is appointed from the Bar and he is generally a Barrister of at least ten years' standing. The Commission recommend that the District Director of Public Prosecutions in Bihar should also have at least ten years' practice at the Bar as an advocate and enjoy the reputation of sound criminal work. He should be a whole-time salaried officer, drawing a pay in the scale of Rs. 1,200—1,600 in the

district of Patna and Rs. 1,000—1,400 in the other districts of the State. The scale of fees allowed to the Public Prosecutor of Patna is also at present higher than that sanctioned for the rest of the State. The total fees paid to Public Prosecutors, the Commission understand, are not any less than the consolidated scale of pay that has been recommended. If the experience and suitability of a candidate is of a particularly high order, a higher start or even the maximum in the scale may be given to him on his first appointment. In no case should he be allowed any private practice. The tenure of office of the District Director and Chief Public Prosecutor should be five years. A preliminary selection board consisting of the District and Sessions Judge as President and the District Magistrate and the Superintendent of Police as members will be convened to select six names in order of merit. They will forward the nominations to the State Director of Public Prosecutions, a post which the Commission also recommend to be created. The State Director will then convene a board consisting of himself as Chairman, the Deputy Inspector-General of Police, Crime and Railways, Bihar, and the concerned Commissioner of the division as members to select two out of the six names forwarded by the District Selection Board. These names arranged in order of merit will be forwarded to Government in the Law Department for appointment of one of them as District Director of Public Prosecutions and Chief Public Prosecutor.

170. In every district, the work of prosecution in a Sessions Court is entrusted to a Public Prosecutor who is assisted by a panel of Assistant Prosecutors for Sessions Courts. Public Prosecutors. As the District Director has also to function as Chief Public Prosecutor of the district and will be responsible for satisfactory prosecution of Sessions cases, the existing arrangement must necessarily be revised. The present Public Prosecutor will be replaced by the District Director who will not only supervise the prosecution of a serious case but also take a hand in the actual prosecution of the more important and difficult cases. Neither the present day Public Prosecutor nor the proposed District Director of Prosecutions can ever spare the time for prosecuting all the State cases in the Sessions Courts. It is for this reason that a panel of Assistant Public Prosecutors is maintained to assist the Public Prosecutor. The Commission have been informed that the system of having a large panel of Assistant Public Prosecutors is open to many defects. Several witnesses have stated before the Commission that generally, the panel is so big that many lawyers in the panel are only occasionally engaged. Accepting this view, they recommend that this panel should be replaced by a much smaller panel of lawyers of ability, who can be entrusted to prosecute cases independently in the Courts of Sessions and those who are selected for it should be freely engaged in State cases. They should, however, not be salaried officers and should be remunerated on a daily fee basis. At present in Patna there are two classes of Assistant Public Prosecutors—class (I) is given a fee of Rs. 24 per day, and class (II) consisting of junior lawyers is allowed a daily fee of Rs. 20. As the Patna Bar commands a higher rate of fee, the Commission recommend that the scale of fee of class (I) prosecutors should be raised to Rs. 32 per day and of junior lawyers to Rs. 24 per day. This distinction need not be maintained in other districts where there should be only one class of prosecutors to be engaged on a daily fee of Rs. 25. The Commission recommend that those lawyers who are to be on the panel should now be designated Public Prosecutors. In such a scheme, the Commission hope that the standard of work will improve and the change in the designation will be all the more appropriate in view of the new designation for the Public Prosecutor.

The District Selection Board recommended for nominating candidates for the post of District Director of Public Prosecutions will co-opt the latter when convened for nominating lawyers to be included in the panel of Public Prosecutors. The number of the nominees will be twice the number required and the list should be arranged in order of merit. The nominations will be submitted to the State Director of Public Prosecutions who will, in consultation with his Selection Board as suggested for the nomination of the District Director, proceed to get the appointments finalised.

171. A large number of witnesses have stated before the Commission that the present Prosecutors for Magisterial Courts of a scheme of prosecuting cases in magistrates' courts is somewhat an improvement on the previous arrangement but have suggested that these prosecutors should not be police officers working under the control of the Police Department. Similar views were also expressed by the Law Commission of India in their Report.¹ They observed "It must not also be forgotten that a police officer is generally one-sided in his approach. It is no reflection upon him to say so. The Police Department is charged with the duty of the maintenance of law and order and the responsibility for the prevention and detection of offences. It is naturally anxious to secure convictions. Not infrequently, relevant witnesses are kept back by the prosecution.....These are the results of an excess of zeal by the police officers and a want of a realization of their true function." With these views the Commission fully concur and recommend that the present prosecution cadre meant for the magistrates' courts should be re-organised and all the prosecutors brought under the control of the District Director of Public Prosecutions. There should be two classes of prosecutors in these courts; to be designated District Prosecutors and Assistant District Prosecutors. One District Prosecutor will be appointed for every police sub-district. He will be responsible to the District Director of Public Prosecutions for efficient prosecution of all cases in the magisterial courts. It will be his duty to supervise and co-ordinate the work of the Assistant District Prosecutors, to prosecute difficult and complicated cases in the magisterial courts and appear before the District Magistrate in appeals heard by him in police cases in the non-separation districts. Should it be considered necessary to employ a District Prosecutor for the prosecution of a case in any magisterial court located outside his headquarters, he will be so deputed under the orders of the District Director of Prosecutions. The District Prosecutor should receive the necessary ministerial assistance from the office of the District Director of Public Prosecutions where their headquarters coincide, but those posted to the headquarters of police sub-districts, which will not have a separate District Director of Prosecutions, will require a small office with a library.

The District Prosecutors will be appointed in the scale of Rs. 280—25—405—E. B.—30—675—25—900 sanctioned for Deputy Magistrates and recommended for Deputy Superintendents with the Central rate of dearness allowance at the rate of Rs. 20 per month with marginal adjustments only up to Rs. 320. The conditions of service will be the same as for Deputy Magistrates or Deputy Superintendents of Police except that their age of retirement will be 58. There will not be any direct recruitment into this rank and all the vacancies will be filled by promotion of Assistant District Prosecutors.

The Assistant District Prosecutors will be appointed to assist the District Prosecutors in prosecuting cases in magisterial courts. They will also be whole-time salaried officers of Government and will be recruited in the scale of Rs. 240—10—300—15—375—E. B.—50—450—20—530 and a dearness allowance @ Rs. 20 per month with marginal adjustments only up to the stage of Rs. 320.

The necessity for fixing a more rational yardstick for determining the strength has been urged before the Commission by several witnesses. The present system of determining the strength of prosecutors based on the number of charge-sheet cases is unsatisfactory. The Commission after examining this matter in some detail have come to the conclusion that there should be one Assistant District Prosecutor for every whole-time court and one for all the part-time courts. In subdivisions, the seniormost Assistant District Prosecutor will be responsible to the District Prosecutor for supervising and co-ordinating the work of

1. Paragraph 12, page 769 of the Report.

the other Assistant District Prosecutors. He will be given a charge allowance of Rs. 50 per month and a small office with a library to enable him and his colleagues to discharge their functions properly.

172. All Assistant District Prosecutors will be required to be Law graduates and those with three years' practice at the Bar will be preferred. Their age at the time when the applications are invited should not be over 28 and they will retire at the age of 58 but can work up to the age of 60 if they are recommended to be particularly suitable. They should be recruited through a competitive examination to be conducted by the State Public Service Commission. The competitive examination should consist of a written test, comprising papers in law, general knowledge and court language, followed by a *viva voce* test which will include a test in a moot court.

It is the considered view of the Commission, as also that of the Indian Law Commission, that all Assistant District Prosecutors should receive some police training as they must be thoroughly conversant with police work, particularly with that part of it which is connected with the investigation of cases. For this purpose, therefore, the Commission recommend that they should be trained in the Police Training College for a period of six months after their first appointment and the curriculum should include lectures on law by experienced lawyers who may be invited to address them. After the conclusion of the basic training, they should be posted to the headquarters of a district or a subdivision to undergo a course of practical training for 3 months under the District Prosecutor. The Chief Public Prosecutor will supervise the work of training and will attach the trainees to his own office for at least 3 months before they are entrusted with actual prosecution work.

The Superintendents of Police who will have ample opportunity to watch the work of the District Prosecutors and the Assistant District Prosecutors, should send annually their own assessment of their work to the District and Sessions Judges, who should obtain similar reports from the District Magistrates of the districts where separation has not yet been complete. The District Judges will add their own remarks and forward them with the annual reports of the Chief Public Prosecutor to the State Director of Public Prosecutions. These prosecutors will cease to wear police uniform and will wear a gown to be prescribed by the High Court.

173. The Commission are of the view that the posts of Senior District Police Prosecutors at present sanctioned for only the bigger districts should be abolished and those who were appointed from the Bar or directly through competition on the advice of the State Public Service Commission should be re-appointed as District Prosecutors. Those who were appointed from the Police Department may revert to it as Deputy Superintendents. Some of the District Police Prosecutors have also been drawn from the Police Department and the Commission recommend that those who are suitable and senior may be appointed as Chief Inspectors to be posted as Law Instructors in the training institutions and others as officers-in-charge of the District Police Court Offices on their existing scales of pay. Those who were appointed from the Bar as Assistant District Police Prosecutors should be retained as Assistant District Prosecutors. Some of them who are senior and possess suitable record should be considered for appointment as District Prosecutors by the Public Service Commission. All the existing Assistant District Police Prosecutors should be re-appointed as Assistant District Prosecutors but those amongst them who started their career in the police should be reverted to the Police Department and appointed as Inspectors.

174. Several well informed witnesses gave evidence before the Commission that the work of the Secretary to Government in the Law Department has perceptibly increased and it would be a great step forward from several considerations, if a post of State Director of Public Prosecutions was created. This Senior Law Officer of Government will relieve the Law Secretary of his work as Legal Remembrancer on the criminal side and should be made *ex-officio* Legal Remembrancer. His duties will be made onerous and exacting as the Commission recommend that he should be the Controlling Officer of all District Directors of Public Prosecutions, inspect their work periodically and take over the following duties of the Legal Remembrancer in criminal matters :—

- (i) to instruct the Advocate-General when necessary in relation to criminal cases coming before the High Court;
- (ii) to provide for the adequate prosecution of important cases in the district courts, and for the proper representation of the State in appeals;
- (iii) to advise Government when appeals in acquittals are preferred and regarding appointment of Special Public Prosecutors;
- (iv) to watch the interest of Government in the criminal courts;
- (v) to convene selection boards for the appointment of District Directors of Public Prosecutions-cum-Chief Public Prosecutors and Public Prosecutors;
- (vi) to supervise the work and conduct of the District Directors of Public Prosecutions;

District Magistrates will now report for the orders of the State Director of Public Prosecutions on any criminal case of more than ordinary importance involving a question of great public interest or in which it may appear expedient that the State should withdraw from the prosecution. It shall be the duty of the State Director of Public Prosecutions to keep Government informed of all such cases. It will also be the duty of the State Director of Public Prosecutions as Legal Remembrancer to give his opinion in any matter upon which Government in any department may think fit to consult him.

175. The Commission are of the view that such a responsible and senior official of Government should generally be a retired High Court Judge having sufficient experience of criminal work either at the Bench or before he was raised to it at the Bar or he may be a senior criminal lawyer of considerable experience and should possess the same qualifications as are required for those who are eligible for appointment as High Court Judges. The Commission consider that he should be paid a monthly salary of Rs. 2,000 per month.

The retiring age of the State Director of Prosecutions should be 68 and he will be appointed on the recommendation of the High Court which will send three names to Government in order of preference for appointment of one of them as the State Director of Public Prosecutions. As the entire prosecuting agency will form a separate department under the administrative control of Government in the Law Department, the expenditure incurred in entertaining this department should be borne by the Law Department of Government.

B. POLICE COURT OFFICES

176. Almost all the witnesses appearing before the Commission have strongly deprecated the system of making the prosecutors responsible for office work including maintenance of records and registers. It is the considered view of the Commission that the prosecutors should not be saddled with any kind of office work and, therefore, they recommend that the District and Subdivisional Police Court Offices should be reorganised

Subdivisional and District Police Court
Offices—their set-up.

and so constituted as to establish effectively sound liaison between the prosecutors and the police and also ensure that all files, returns and reports are properly and efficiently maintained without distracting the prosecutors. These Police Court Offices will continue to be under the administrative control of the Superintendent of Police. A Subdivisional Police Court Office will be in charge of an Assistant Inspector of Police. He will be assisted by three Head-constables. To each Subdivisional Court Office will be posted two constables for *hajat* duties and one constable for each whole-time court. The District Police Court Office will be in charge of an Inspector of Police on the senior scale. He will be assisted by one Head-constable and two constables. At the headquarters of the police districts, the District Police Court Office and the Subdivisional Police Court Office will be amalgamated and the Inspector in charge of the District Police Office will be directly responsible for the discipline and work of the Subdivisional Police Court Office. The Inspector will also exercise adequate supervision over the work of other Subdivisional Court Offices within the police district. He will be required to inspect a Subdivisional Police Court Office once in six months. During his inspection he should ensure that all the registers, records and returns are correctly compiled and properly maintained. A staff of one Head-constable and four constables will be attached to a District Police Court Office which is located at the headquarters of the Sessions Divisions, for assisting the Public Prosecutors in the prosecution of Sessions cases. The Police Court Offices should always be located in the Court buildings.

177. The Superintendent of Police will discharge his responsibility of ensuring that every prosecutor is properly briefed and given reasonable assistance in the preparation and prosecution of cases through these court offices. The officers-in-charge of
- Their duties.

court offices will, therefore, be required to maintain intimate contact with all the prosecutors. It will be the special responsibility of the Inspector of the District Court Office located at the headquarters of a Sessions Division to ascertain by personal communication with the Public Prosecutors, whether the "briefs" furnished by the magistrates are complete in all details and if not, he will supplement them with any information that may be required. The Commission expect that the Superintendent of Police will maintain similar contact with the District Director of Prosecutions and also make every endeavour to satisfy himself that the other prosecutors receive all the aid from the Police Court Offices that they require to prosecute cases successfully. The Commission desire that all the prosecutors should also establish close contact with the office so that there is no lack of co-ordination in preparing the "briefs" and bringing offenders to justice. The present duties of the Police Court Offices will generally be unchanged and some of the more important ones are stressed below :—

- (i) The Police Court Office will be responsible for the custody of all police records of charge-sheet cases. On receipt of charge-sheets, the Subdivisional Police Court Office will ensure as hitherto that copies of all documents on which the prosecution proposes to rely are made available to the accused except such documents of which copies have already been supplied when bail applications were presented and heard and the accused does not wish to have another copy. In some States, this work has been entrusted to the investigating officers. The Commission are of the view that it will be always more convenient to entrust this task to the Subdivisional Police Court Office which should be provided with adequate number of typists in the rank of Head-constable as at present. Normally, it is expected that one person should type about 15 foolscap pages a day and the strength required for the court office should be determined on the basis of the average number of pages typed during the last two years. As soon as copies have issued to the accused persons, the officer-in-charge will make over the case diaries and the "brief" to the prosecutor. At the conclusion of the case, the original case diaries will be returned to the police-station

from which they were sent and the "brief" with the comments of the prosecutor will be sent to the Chief Inspector of the police circle concerned for onward transmission to the Superintendent of Police.

- (ii) The Police Court Office will advise the prosecutors to ask for remand in cases in which there is good reason to suspect that a person is accused of an offence for which, on re-conviction, an enhanced punishment may be awarded. The court office shall take prompt steps for verifying the previous conviction of such accused persons and ensure that no unnecessary delay occurs.
- (iii) The Commission have heard loud complaints from the Sessions Judges, magistrates and police officers about non-attendance of witnesses in police cases. It appears that the present procedure for service of summonses is not satisfactory. The Commission recommend that this work for police cases should be entrusted to the court offices where all summonses from magistrates and Sessions Courts will be received, entered in a register and sent to the police-stations concerned for prompt service and return. The Police Court Officers will inspect their registers every day to ensure that defaulting police-stations are reminded in time. One of the three Head-constables should be detailed solely for this work. He will maintain an account of warrants and other processes as also the absconders' register. Applications from investigating officers for issue of warrants and other processes will be received in the Police Court Office and it will be their duty to obtain warrants and other processes and send them to the police-stations concerned for execution. They will also take steps to get evidence recorded under section 512 of the Code of Criminal Procedure against absconding accused.
- (iv) The custody of the property seized as exhibits in course of investigation of cases will be with the officer-in-charge of this office. All these exhibits will be properly accounted for, produced as and when required by the trial courts, and no property will be disposed of without obtaining appropriate orders of the trial court concerned and of the Subdivisional Officer in cases in which final reports are received from the police. It has been pointed out by some police officers that occasionally magistrates are reluctant to pass any order for the disposal of seized property. The Commission are of the view that the present procedure as outlined in the Police Manual is sound and no property should be allowed to be disposed of by the police without the orders of the magistrate, as these exhibits are seized and held in custody by the police on his behalf. The Commission believe that a suitable court circular from the High Court will remove the present confusion, if it exists in any district.
- (v) The custody of under-trial prisoners brought from jail for production before magistrates and Sessions Judges will be the responsibility of this office. Necessary escorts for bringing under-trial prisoners to courts will be provided by the District Armed Reserve at the headquarters. At subdivisional headquarters, the constables posted to the Court Office should be able to escort the under-trial prisoners and occasional re-inforcements, when required, may be requisitioned from the officer-in-charge of the local police-station. No one should be allowed to interview a prisoner while he is in the precincts of a court, awaiting trial, without the necessary authoritative permission.
- (vi) Difficulties have been experienced in maintaining the magistrate's general register of cases in Police Manual Form No. 56. In this register, all first information reports, final reports, judicial results of cases sent up in charge-sheets and progress of investigations and trials are entered and authenticated by the Subdivisional Officers and the trying courts. This register is now maintained

by the bench clerk of the Subdivisional Officer and a "shadow" register has been introduced in the Police Court Offices. Even the "shadow" register cannot be properly maintained as necessary information is not readily available to the Police Court Offices. The Commission have been informed that this important register forms the basis of all police statistics relating to investigation and prosecution of cognisable cases. They therefore recommend that a police general register should be introduced and maintained at every Subdivisional Police Court Office. In order to enable the Police Court Office to maintain this register properly, the Commission consider it necessary that the copy of the first information report submitted to the Subdivisional Officer should be routed through the Police Court Office where necessary entries should at once be made in the police general register and the first information report with the register put up to the Subdivisional Officer for necessary authentication. The first information report will then be handed over to the bench clerk. The final reports and any other document received thereafter by the magistrate should form part of the judicial records, to be made available to the Police Court Officer only in the presence of the magistrate. It should, however, be ensured that the Police Court Officer is given all facilities for eliciting information required for keeping his general register up-to-date. All final forms (final reports and charge-sheets) will also be routed through the Police Court Office and in cases sent up for trial, the Police Court Officer should be able to secure information about the progress and results of trials from the prosecutors. Every prosecutor will be required to prepare the daily under-trial case report at the end of each day in the form prescribed in the Police Manual and make it over to the Police Court Officer for onward transmission to the Superintendent of Police. In districts where separation is complete, this under-trial case report will be sent to the District and Sessions Judges for their information and such action as they deem necessary.

- (vii) The Commission have already recommended that the Police Court Office will be relieved of the work relating to the P. R. (Police Registered) system. This work will now be entrusted to the District Crime Bureau but the Police Court Office will continue to maintain the present conviction register and its indices. The Commission are informed that this register is generally not up-to-date and deficient in many particulars. The importance of this and the connected registers should be well realised by every Police Court Officer as they furnish ready evidence of previous convictions. The entries in this register should continue to be authenticated by magistrates.

C. TRIALS OF CASES AND APPEALS

178. The Commission have already dealt with the question of delay in investigation of cases by the police and suggested appropriate remedial measures. Similar complaints have been heard about the delays with regard to prosecution of cases. The Law Commission of India have also adversely commented on the delays that occur in the dispensation of justice at every level. Several witnesses have informed the Commission that the delays in prosecution of cases are due to a number of causes, some of them being :—increase in the volume of cases; inadequacy of courts and the prosecuting staff; non-attendance of witnesses; and, frequent adjournments. The latest amendment of the Code of Criminal Procedure requiring copies of all documents on which the prosecution proposes to rely to be furnished to the accused persons is another factor that is contributing to delays. Some witnesses have also said that there has been a complete change

in the order of priority which executive magistrates now allot to their work; their engagement with duties connected with revenue, census, election, relief measures and developmental activities, leave them with insufficient time for court work. It is found from the report on the Administration of Criminal Justice in the State of Bihar during the year 1956 that the average period during which a case lasted in the courts of magistrates was 48.2 days and in one district the average period was 112.60 days. In the opinion of the High Court, increase in the number of whole-time magistrates and closer scrutiny by the District Magistrates and Sessions Judges of the explanation of delay should in course of time prevent flagrant causes of delay. In 1954, the State Government were pleased to appoint Shri (now Justice) Kanhaiya Singh on special duty to review the working of the scheme of separation of executive and judicial functions and also to make recommendations for expediting disposal of cases. With such a scheme of separation, the work of supervision which used to be entrusted to the District Magistrate is now to be discharged by the District and Sessions Judge. The latter with his own commitments cannot devote all the time that is required for inspections and Mr. Justice Kanhaiya Singh recommended that peripatetic judges should be appointed. Government have already appointed two such judges but the Commission recommend that there should be a properly constituted office to assist them in their work. Mr. Justice Singh also recommended an extension of the scheme of separation and the employment of a larger number of whole-time magistrates. Working on the average of sixty thousand cases which have to be disposed of per year and accepting the yardstick recommended by Mr. Justice Singh, the Commission agree that there should be at least 188 whole-time courts dealing with police cases only. They also agree with him that it would be necessary to ensure that there are 200 part-time courts for disposal of about 60,000 to 80,000 miscellaneous cases. The Commission further recommend that the cadre of munsifs and sub-judges should be enlarged as quickly as possible in order that senior munsifs and sub-judges trained in criminal work generally try criminal cases. It is further suggested that courts presided over by munsif-magistrates and sub-judge-magistrates should be set apart, as in England, for hearing police cases and they should allot one or two police-stations to each day in the week for trial of cases sent up by these police-stations so that their officers-in-charge would be fully aware of the days of the week on which their cases are to come up. The District and Sessions Judge of Patna while giving evidence before the Commission commended this "week-day" system which has been tried with success in his courts. Many witnesses have stated that police and medical officers are generally the worst defaulters and seldom, if ever, do they send timely information of their inability to attend courts and also any change in their address. The Commission desire that any failure in this regard should be reported to their controlling officers by the courts concerned and if the reason for absence or failure to send timely information is not valid, they should be sternly dealt with. In order to expedite trials, it is also necessary to ensure attendance of public witnesses. The Commission have already recommended that service of summonses for police cases should be taken over by the District and Subdivisional Police Court Officers and it is hoped that in the proposed arrangement summonses will be properly and promptly served. The Commission, however, feel that efficient service of summonses will not by itself secure the attendance of this class of witnesses who justifiably resent any avoidable inconvenience or harassment caused to them in responding to a summons. The Commission are informed that in some districts, the witnesses are not even paid the travelling and diet allowances, the rates of which are considered to be must too low by the present standards. The Commission have no doubt that these grievances have to be removed if regular attendance of public witnesses is to be secured. Care should also be taken to ensure that when summoned, these witnesses are examined and discharged without unnecessary detention. Whenever the hearing of a case is adjourned, the prosecutor should be intimated by the court and the former should get the witnesses informed through the Police Court Offices or, directly, if need be. Mr. Justice Kanhaiya Singh, who has dealt with this subject rather elaborately in his report, regrets that there is lack of speed and efficient despatch of business in the criminal courts and has appropriately suggested that the court diaries should

be properly maintained and unnecessary adjournments always resisted. Some police officers have pointed out that considerable difficulty is being experienced in producing public witnesses in view of the interpretation given to sub-clause 7 of section 251A of the Code of Criminal Procedure. This sub-clause requires the magistrates to proceed to take all such evidence as may be produced in support of the prosecution on the fixed date. A number of courts are reported to have interpreted this provision to mean that it was the entire responsibility of the police to produce witnesses and without their intervention or assistance. The difficulties created by such an interpretation of the law are so serious that it was discussed in the conference of Inspectors-General of Police in 1960, and it is their view that this section should be suitably amended. The Commission realise that it can be difficult for the police to produce public witnesses without summons from courts and, therefore, recommend that the difficulty created by the interpretation of the recent amendment of the Code should be removed as soon as possible and legislation to amend it undertaken if a court circular cannot set the matter at rest.

The delay in the disposal of cases relating to traffic offences is also reported to be serious. Numerous difficulties have been pointed out and the most important is that quite frequently the accused get untraced. The Commission note this with deep concern in view of the disquieting rise in the incidence of traffic offences which endanger human life and property. The present day enforcement of traffic laws and rules is considered to be grossly unsatisfactory and, of late, people are justifiably exercised over the failure of the authorities to punish this new class of offenders. The Commission recommend that mobile courts should operate on trunk roads and in the larger cities in order to deal with such offences at the spot and with expedition.

The Commission have already made recommendations about the reconstitution and enlargement of the prosecution agency and the re-organisation of the Police Court Offices. The Commission hope that these two measures will considerably help in obviating delays in the prosecution of cases. With the yardstick proposed for the prosecutors, inadequacy of prosecutors will not be a ground for protraction of any trial and with the re-organised Police Court Offices the desired speed and efficiency in the service of summonses, execution of warrants and processes, issue of copies of documents to the accused persons, production of exhibits and under-trial prisoners, and briefing of the prosecutors will be ensured.

179. A number of witnesses, particularly senior police officers, are of the view that records of cases ending in acquittals or awards of inadequate sentences are not properly scrutinised and promptly followed up; and sometimes even in well-merited cases, appeals are not preferred. It is stated that generally copies of judgment and comments of prosecutors are not readily available. Some Superintendents of Police informed the Commission that in a number of instances copies of judgments could not be available despite persistent efforts. It is difficult to apportion blame when the present arrangement requires co-operation of several agencies. The Commission are, however, clear in their view that a more reliable and satisfactory arrangement should be provided when a case before a magistrate ends in an acquittal or when an inadequate sentence is awarded. The Public Prosecutor concerned should at once obtain a copy of the judgment and submit the same to the District Director of Prosecutions with his comments. The latter should scrutinise the judgment and take steps for filing an appeal in appropriate cases in consultation with the Superintendent of Police. When an appeal is to be filed against a judgment of the Sessions Court, the District Director of Prosecutions should obtain a copy of the judgment with the comments of the Public Prosecutor concerned and forward them to the Superintendent of Police with his opinion. The latter will then forward them with his own comments to the State Director of Prosecutions through the District Magistrate. In cases controlled by the Criminal Investigation Department, the District Director of Prosecutions will send his comments and the copy of the judgment to the Deputy Inspector-General of Police, Crime

and Railways, through the District Magistrate for onward transmission to the State Director of Prosecutions. In both cases, the State Director of Prosecutions will take appropriate steps for filing an appeal or an application in the High Court, as he may think fit. The procedure outlined above should cut out unnecessary delays. In order to ensure that Law Officers of Government, responsible for conducting State cases in the High Court, are adequately briefed, the Commission recommend that an officer of the rank of Chief Inspector of Police posted to the Criminal Investigation Department, should work as a Liaison Officer and be attached to the office of the Advocate-General. His duty will be to inform the various officers of the Police Department regarding the hearing of cases in the High Court. This system will remove the present grievance of some Superintendents of Police that information about the progress in the hearing of cases in the High Court and their disposal are not received by them in time.

The Commission do not propose to say anything about the conduct of criminal appeals and revisions in the High Court except that they desire to draw attention to the views of the witnesses regarding maintaining an unnecessarily large panel of advocates and the low scale of fees payable to them. These matters should perhaps receive due consideration of the State Government and the High Court.

180. In the end, the Commission hope that with the re-organisation of the prosecuting agency that has been recommended, a congenial atmosphere should be created for proper administration of justice in all the Law Courts and the prosecutors will maintain a high standard of efficiency and integrity in all matters connected with the prosecution of cases.



CHAPTER XIII

ORGANISATION OF POLICE OFFICES

181. The Indian Police Commission of 1860 had recommended that police officers should be employed for clerical duties in the various offices and establishments of the police. The Indian Police Commission of 1902-03, on the other hand, recommended that it was no necessary that police officers enrolled under the Police Act (V of 1861) should be employed for performance of clerical duties. They were of the view that if discipline could be maintained in other offices without the assistance of special powers, it should be possible to maintain it in the police offices as well. They also suggested that only those who were to deal with crime, e.g., the crime readers to the Superintendents need only be enrolled as police officers. They were not in favour of the Inspector of Police in charge of a circle being given any office staff as he was not to do much of scriptory work.

182. It has been urged by some witnesses and also by the Bihar Police Ministerial Officers' Association that the clerical establishment should be replaced by an executive establishment as in the army. The Commission have considered the suggestion with care but do not think it necessary to recommend any material change in the class of persons employed on clerical duties.

183. Views have been expressed before the Commission to indicate that there has been considerable deterioration in the efficiency of a police office and that it has been alleged that supervision over the work of clerks, particularly in the district offices, is both inadequate and inefficient and some witnesses have suggested that there is a certain amount of corruption, particularly in those branches which deal with postings, transfers, promotions and drawal of pay and other allowances. Where work seems to have suffered most is due to the lack of adequate supervising staff to superintend the work of the dealing assistants. Most of the superior staff is composed of touring officers and their supervision cannot necessarily be intensive and tends to be a little remote.

184. The Commission took the opportunity of visiting the various offices at the State range, district and circle levels and they propose to deal with each of these offices separately.

185. Before 1957, the ministerial staff of the office of the Inspector-General, Deputy Inspector-General, Criminal Investigation Department (Crime Branch), and the Range Deputy Inspectors-General formed a combined cadre. In March, 1957, the ministerial officers posted to the office of the Range Deputy Inspectors-General, including the temporary office of the Deputy Inspector-General, Military Police, formed their own cadre and the cadre of assistants working in the office of the Inspector-General and the Deputy Inspector-General, Criminal Investigation Department (Crime Branch), continued to be combined and their pay scales brought on par with those sanctioned for the ministerial establishments of the Secretariat departments. Government also revised the yardsticks which formed the basis for determining the strength of the ministerial officers of these two offices and fixed 1,700 receipts per year for one assistant in the office of the Inspector-General of Police and 2,000 for the crime office of the Criminal Investigation Department. The yardstick for the range offices is based on 1,600 receipts per assistant per annum. Several witnesses, including the Inspector-General of Police, Bihar, and the Deputy Inspector-General of Police, Criminal Investigation Department, in their evidence have suggested that the yardsticks sanctioned for the Secretariat departments should also determine the strength of the assistants in the combined cadre. The Commission, however, are not in favour of recommending revision of the yardsticks at

present, as the purpose should be well served if the strength of the ministerial staff were augmented immediately on the basis of the yardsticks already sanctioned. What is, however, required is the strengthening of the accounts, budget and finance sections, including the leave and pension sections. There is a large number of disbursing units in the State under the Inspector-General of Police and to cope with the work connected with these units, as also the preparation of their budget under the various heads and sub-heads, the Commission are of the view that a fully trained Accounts Officer on the scale already sanctioned for such posts in some other departments of Government should be appointed to supervise and co-ordinate the work in these three branches. If the office of the Inspector-General is brought to its full strength, there is a necessity for the creation of a post of Additional Registrar. This was particularly pressed by some of the witnesses. It has also been suggested that like other Heads of Departments, the Inspector-General of Police should have the facility of having a Personal Assistant in his office. Such posts exist for the Chief Engineer, Labour Commissioner, the Director of Health Services and the Director of Industries. The Commission recommend that such a post should be created in the pay scale sanctioned for Personal Assistants of other departments. The confidential section of the office of the Inspector-General is called the "X Branch". The assistants in this branch form a separate cadre. This is unsatisfactory and the cadre should be merged in the general cadre of assistants sanctioned for this office. As for the ministerial establishments in the office of the Deputy Inspector-General, Criminal Investigation Department, the Commission propose no change. The recruitment of ministerial officers in the Secretariat is centralised and the Finance Department controls it. It has been reported to the Commission that considerable delay occurs in filling the vacancies in the various offices and they recommend that the Finance Department may, perhaps, consider a scheme which would ensure that every department gets an adequate quota of assistants every year, on the basis of the annual intake of each of the departments or office, so that vacancies are not allowed to be left open for long periods.

186. As the Commission have recommended that the Deputy Inspector-General, Criminal Investigation Department, should take over the administrative control of the railway police districts also, he will require a full-fledged office for work connected with appointments, transfers, postings, promotions, leave, discipline, and other administrative matters of the railway police. The strength of the proposed railway section of the office of the Deputy Inspector-General, Crime and Railways, should follow the pattern of a Range Police Office but the staff should be borne on the joint cadre of the assistants working in the Criminal Investigation Department and in the office of the Inspector-General.

187. Since the assistants of all the offices of the Deputy Inspector-General, except that of the Deputy Inspector-General, Criminal Investigation Department, at present constitute a combined cadre and the vacancies are now filled by the Inspector-General's Office, it would be a wise step, in the opinion of the Commission, if nearly all the vacancies in the Range Offices were filled by promotion of clerks working in the District Police Offices. This will not only ensure efficiency, as trained and experienced assistants, fully conversant with police office work would be available to the Range Offices, but would add greatly to the incentive to the clerks working in the District Police Office. The Inspector-General of Police, Bihar, submitted such a proposal in 1956 and the Commission recommend its acceptance. The officer in charge of a Range Office is a Head Assistant. The Range Deputy Inspector-General is primarily a touring officer and it was found unsatisfactory that the office during his absence should be left to the care of a ministerial officer when a large volume of correspondence in his office relates to crime and other law and order matters. The Indian Police Commission of 1902-03 had also recommended that officers connected with crime should be drawn from the executive branch of the police. The Commission concur in this view and recommend that the posts of Personal Assistants recently created for the Range Deputy Inspectors-General should be made

permanent and filled by police officers who need not necessarily be Assistant or Deputy Superintendents as at present sanctioned, but could be Chief Inspectors of Police. This will be both economical and expedient.

188. The office of the Superintendent of Police in a district consists of two distinct branches, namely, (i) the District Police Office, and (ii) the District Reserve Office. The former works directly under the Superintendent of Police and his Assistant or Deputy Superintendent, and is located in their office building while the latter is located in the Reserve Police Lines and is in charge of a Sergeant-Major, assisted by a Reserve Officer of the rank of a Sub-Inspector and a number of Assistant Sub-Inspectors. After careful consideration, the Commission find the arrangement to be wholly unsatisfactory. In their tour of Madras they were impressed with the system obtaining in that State. These two offices are combined and located directly under the Superintendent of Police in his own office. This is a particularly satisfactory arrangement as the control of the Superintendent of Police over both the wings becomes intimate, while in the system obtaining in Bihar, his control over the Reserve Police Office is necessarily remote as both he and his Assistant or Deputy Superintendent have to take special trips to this office, in some districts 3 to 4 miles away from his headquarters, or the officers from the Reserve Office have to go to the District Police Office or the residences of the superior officers to put up their papers. This causes confusion and entails delay. Several witnesses have also complained that corruption is quite rampant in some of the Reserve Police Offices. The Commission, therefore, advise that this arrangement should be immediately terminated and all the work done in the Reserve Office, except the work connected with drill and discipline, should be transferred to the District Police Office. The Reserve Police Office, as such, should be abolished. The Reserve Sergeant-Major, who has already been recommended to be replaced by a Subedar-Major, should be assisted by one or more Jamadar Quarter-Masters and a Jamadar Adjutant. The Jamadar Quarter-Master will be in charge of clothing, accoutrement, etc., and the Jamadar Adjutant will be in charge of drill and discipline of the District Armed Police. The number of Jamadars will depend on the strength of the District Armed Police and that of the motor transport. These officers will replace the Sergeants at present sanctioned for the police lines. This will be a much more economical arrangement. The Reserve Subedar-Major, assisted by his officers, will maintain, as hitherto, the following registers :—

- (i) Arms Register.
- (ii) Ammunition Register.
- (iii) Clothing Register.
- (iv) Committee Report Book.
- (v) Orderly Room Register.
- (vi) All registers connected with maintenances of motor transport.
- (vii) Register of daily duties.
- (viii) Register of visiting guards.
- (ix) File of Command Certificates.
- (x) Stock and Store Register for the Reserve.
- (xi) Hospital Register.
- (xii) Register of casual leave.

The other registers that are maintained in the Reserve Office should be transferred to the District Police Office. The posts of Reserve Sub-Inspector and Assistant Sub-Inspectors should be abolished. The assistance given by the Assistant Sub-Inspectors in the office in connexion with the discipline of the force could be afforded by specially selected Head-constables who will be attached to the Adjutant's Branch.

189. The office of the Superintendent at present consists of the following sections :—

- (i) English Office (correspondence, building project, etc.).
- (ii) Accounts.
- District Police Office. (iii) Vernacular Office (including chaukidari matters).
- (iv) Motor Vehicles Office.
- (v) Confidential Section.

It is a misnomer and obviously undesirable to continue the nomenclature "English Office" or the "Vernacular Office". The Commission recommend that the "English Office" should now be styled as "Correspondence Section" and the "Vernacular Office" should merge in the District Crime Bureau. The accounts section should be replaced by a much larger organisation to be called the "Administrative Branch", and will consist of two sections (i) accounts and (ii) establishment. Each branch or section of the Police Office will require a different yardstick for determining the strength as indicated below :—

- (i) *Correspondence*.—All the correspondence will be dealt with in this branch. The head of this branch should be styled as Head Clerk (on the junior scale of pay) and should have under him a number of clerks, based on the yardstick of one clerk for every 2,000 receipts.
- (ii) *District Crime Bureau*.—The executive set-up of the District Crime Bureau has already been indicated in the appropriate chapter. The clerical establishment of this Bureau should be of the same pattern as at present sanctioned for the so-called Vernacular Office. The Head Muharrir who is in charge of this section should be styled as Head Clerk (junior scale) and the number of clerks under him should be determined on the number of cases in the district and not on the number of receipts. As recommended by the Organisation and Methods Section, the basis should be one clerk for every 1,000 cases investigated.
- (iii) *Administration Branch*—(i) *Accounts Section*.—There was substantial evidence laid before the Commission to indicate that this branch of the Police Office is very inadequately staffed. The accountants, in order to draw the pay and allowances of the force in time on the 1st of every month, have to work till late hours in the night to accomplish it. The Commission examined the actual working in this section in a Police Office and were convinced that this section is understaffed. The Inspector-General of Police, Bihar, in his evidence, has very strongly urged that this section needs considerable strengthening. The Organisation and Methods Section also recommended that the strength in this section should not be determined on the basis of annual receipts but should be based on the total strength of the force because pay, travelling allowance and other matters connected with accounts in relation to such a large force are very heavy. This would be a more rational arrangement. The Commission accept the view that for every 250 police personnel, there should be one accounts passed clerk in this branch. The head accountant should be restyled as Head Clerk (junior scale). In order to

reduce the volume of work in this section, the Bihar Ministerial Police Officers' Association suggested before the Commission that there should be decentralisation in the matter of drawal of pay, travelling allowance, etc., on the analogy that such a scheme of decentralisation is in force in the District Magistrate's Office. The Inspector-General of Police, Bihar, has not commended this arrangement and the Commission agree with him. If the accounts Section is organised in the manner suggested above, there should be no necessity of decentralisation which must cause confusion as the movement of police officers on transfer, deputation and leave is so frequent that their pay cannot be conveniently drawn and disbursed at the subdivisional headquarters. The Commission also advise that the division of work in this section should ensure that at least there should be one accountant earmarked for preparing establishment bills and for drawing pay and other allowances of non-gazetted officers and another for similar work for all the gazetted officers.

The establishment section should also have its own Head Clerk on the junior scale. He should be responsible for all the work at present done in the Reserve Police Office.

(iv) *Motor Vehicles Section*.—This section of the Police Office is responsible for the registration of motor vehicles and licensing of motor drivers. The Commission accept the recommendation that the strength in this section should be determined not on the basis of annual receipts, but on the number of motor vehicles registered and they recommend that for every 400 vehicles there should be one clerk up to a maximum of 5 under a Head Clerk on the junior scale.

(v) *Confidential Section*.—The confidential branch of the Superintendent of Police's Office is not properly organised mainly because most of the papers that are maintained in this branch have to be kept in the personal custody of the Superintendent of Police. He gets the assistance of his stenographer in receiving and despatching papers. The Commission recommend that for this purpose a reliable clerk may be attached to the stenographer but the responsibility for safeguarding the secrecy of the documents should rest with the Superintendent of Police himself and his stenographer.

The reorganisation of the various sections of the District Police Office as suggested in the preceding paragraphs, each under its own Head Clerk on the junior scale of pay should go a long way to improve the standard of work in this important office. The Head Clerk to be in charge of each section should be responsible for the work of all the clerks under him and the supervision which is lacking at present would thus be ensured.

The Commission also recommend that the post of a superior ministerial officer to be designated as Manager should be created for controlling and guiding the Head Clerks and their sections. The existing post of a Head Clerk in a Police Office on a senior scale of pay should be abolished. The Manager should draw pay in the scale recommended for an Inspector of Police in the junior scale. The post of the Reserve Sub-Inspector should also be abolished and the work of supervision of the entire District Police Office should vest in the Manager. This arrangement should be suitable and at the same time economical. The Commission have had to reject the suggestion that a post of Personal Assistant to the Superintendent of Police for supervising the work in his office should be created on the analogy of such a post existing in the office of the District Magistrate. For several reasons the Commission are not in favour of the creation of such a post and the work of supervision will be better executed by a Manager who will be a promoted ministerial officer of experience and integrity than by a Personal Assistant. It was also urged that the clerks attached to the accounts section should be given a special pay. The Commission have also to reject this recommendation as they have proposed that the various sections should be so re-organised

that each section has its own Head Clerk and the accounts section so reinforced that the pressure of work would not be as great as at present. The Commission hope that the changes that have been recommended would not only ensure efficient work at every level but it would be properly integrated and carefully co-ordinated under the direct control of the Manager and under the general control of the head of the office.

190. The Commission have recommended that the circle officer should be of the rank of Chief Inspector of Police and that his supervision over the work of the police-station staff within his charge has to be prompt and intensive. This will necessarily require him to tour his jurisdiction freely. While he may not have much of scriptory work to do, he should have a reliable officer to receive all the papers in his office and to docket them. The Commission, therefore, recommend that the present system of sanctioning a reader Assistant Sub-Inspector is on the whole satisfactory. The latter should now of course be replaced by a Head-constable. It will add greatly to the Chief Inspector's usefulness if he is also given a stenographer Head-constable in addition to the Head-constable who will be required to perform clerical duties connected with records mostly relating to investigation and prosecution of cases.



CHAPTER XIV

ORGANISATION OF AUXILIARY FORCES

A. HOME GUARDS ORGANISATION

191. The essence of the Home Guards organisation in Bihar is that it consists mostly of non-officials who volunteer to receive training outside their normal hours of work and to perform such duties as are allotted to them under any legislation for the time being in force. They receive no salary. This was also the character given to the Home Guards organisation that played such a splendid and noble role during the Battle of Britain. It has been said by many writers that being the average citizen, a Home Guard was able to work with considerable ease among his own people and Great Britain owes considerably to him for keeping up the morale of the Nation when the entire Country was shattered by the Blitz. The necessity of such an organisation was also felt in India during the last World War. As a part of the organisation related to anti-raid precautions, a volunteer force called the Civic Guards, was raised under its own Act and Rules. This organisation was wound up on the termination of the War.

Soon after Independence, it was realised that such an organisation was essential to serve, on what may be called, the domestic and civic front, which may require the services of Home Guards not only for assisting the police in maintaining law and order during emergencies but also to go into action whenever there was a civic emergency. Being entirely voluntary, it redounds to the credit of the community that people have never fought shy of getting enrolled as Home Guards. It is still more creditable for them to acquit themselves so nobly after such a short course of training lasting for only four months. A brief account of this organisation, since it was raised in 1947, would be of interest. A similar force was first started in Bombay in December, 1946, when that city was seized with a series of communal riots and the assistance of such an organisation was considered invaluable to maintain peace and tranquillity. The character of the organisation in Bombay is almost entirely urban and even the officers are drawn from the society and not paid any fixed remuneration. The Bihar Home Guards Act was passed by the Legislature in 1947. It created a voluntary force to be available to Government in times of stress and strain, but the members were allowed to pursue their own calling. The principal object in raising this organisation was to inculcate in a citizen the sense of civic responsibility and to train him to act as a soldier to defend his homeland in case of an emergency. An honorary Commandant-General was placed in charge of it but in 1948 it was considered desirable to place it under one of the police officers of Government and the Deputy Inspector-General of Police in charge of the Armed Force (now called the Military Police) was made *ex-officio* Commandant-General. In 1951, the Inspector-General of Police was appointed as *ex-officio* Inspector-General of Home Guards and later he was given the assistance of the Deputy Inspector-General of Police, Armed Forces, who was also made *ex-officio* Deputy Inspector-General of this organisation which was placed directly under a Commandant for day-to-day administration. He is of the rank of Superintendent of Police. The target, when the organisation was started, was to have 6,000 Home Guards on the roll and this was reached within three years but the total strength has varied from time to time as these volunteers are supposed to be on the roll for a period of four years of active service unless they are re-enrolled. This force has now been distributed into five battalions, one each at Patna, Ranchi, Bhagalpur, Muzaffarpur and Purnea under a Commander of the rank of Deputy Superintendent of Police. The training establishment was started at Muzaffarpur but for lack of proper accommodation, it was transferred to the erstwhile Air Force Camp at Bihta. This establishment has also been placed under a Battalion Commander. The course of training designed for the Home Guards lasts for

four months and thereafter those who are on the active list are required to be called up at district headquarters for a refresher course lasting for three days in a month or six days in two months. Unlike the Bombay organisation, the Bihar Home Guards are essentially drawn from the rural areas and dispersed in the villages. While the strength varies, it has seldom been less than 4,000.

These volunteers have acted as a splendid auxiliary to the armed police of Bihar and during emergencies, like industrial strikes or communal festivals, they are freely deployed to assist the police in maintaining the peace. They have also been detailed occasionally for anti-crime drives and anti-smuggling duties and furthermore their work during civic strikes has been particularly praiseworthy. They have always helped the community whenever a strike has dislocated the essential services maintained by municipal or electrical organisations. It goes to their credit that during some of these strikes they never hesitated to serve as a skilled body of men to run public utility undertakings like the power house or the water supply system or even to perform the duties of municipal sweepers. Their work during such strikes had been so spectacular that it was reported to the Commission that they were given civic receptions by the Patna Municipal Corporation and also by the Jamshedpur authorities. In view of the requirement of a skilled body of men to run public utility services, a scheme was drawn up in 1952 to train Home Guards in certain technical duties. Care has, however, to be taken that the Home Guards are not used as black legs in an industrial strike and their duties should be confined only to running the essential services which affect the entire community.

It has also been reported that they have been trained in archery and frequently sent out in teams to train the Village Volunteer Force of the Gram Panchayat in this art. If there was a Home Guard for every village, there is no doubt that as a village volunteer, his services would be invaluable.

A Home Guard, while under training, receives a daily allowance at the rate of Re. 1 per day and ration allowance at the rate of Rs. 40 per month. When called up for duty, the volunteer gets ration allowance at the rate of Rs. 40 per month and duty allowance at the rate of Rs. 1.50 nP. per day. Those who belong to the technical wing, when called to perform technical duty, get an additional Re. 1 a day. They are also entitled to get journey allowance and are provided with free uniform. On duty, a Home Guard is deemed to be a police officer under the Bihar Home Guards Act and exercises all the powers and privileges of a police officer and can get the same protection.

192. Majority of the witnesses giving evidence before the Commission have been particularly enthusiastic about the work of this organisation and only a few witnesses have favoured its abolition. Some have also suggested that this force should be amalgamated with the District Armed Police or if the strength of the District Armed Police is expanded, there would be no necessity for maintaining this auxiliary force. The evidence of the informed witnesses like senior administrators and police officers is to the contrary and they have all advocated its retention and in fact its enlargement. The Inspector-General of Police, Bihar, has suggested its extension to urban areas. The late Union Home Minister, while inaugurating the All-India Home Guards Conference, 1960, observed "It is in the interest of the States specially considering the times in which we live and the clouds that we see on our horizon that every citizen is ever ready to meet any contingency." The need for such an organisation arises from the fact that it is not always possible for Government agencies alone to maintain peace effectively and restore essential services and it is for every citizen to play his part in such an emergency. The Commission fully concur in these views and are satisfied that such an organisation should continue and suggest that it should be extended as early as possible to urban areas. The aims should be to train every citizen, as in England, to belong to a disciplined body of men ready to go into action at short notice in any emergency.

Some witnesses have suggested that there should be a women's wing in this organisation and a proposal is already under the consideration of Government. In this proposal it has also been emphasised that it is necessary to get all classes of citizens whether in the profession, business or in Government employment, not belonging to the police force or the army, interested in this organisation from a purely utilitarian point of view. The services of women Home Guards could well be utilised for nursing, running control rooms and telephone exchanges and such other social service like preventing the women folk from being molested on public streets. If they are in uniform and have the authority of Government behind them, they can act quite swiftly. The Commission have also suggested that the strength of the Bihar Military Police and the District Armed Police be reduced and they consider that some of the duties performed by these units could well be taken over by the Home Guards during such emergencies as created by festivals, *melas* and other congregations. It is always more economical to maintain a volunteer organisation sufficiently trained and efficiently organised than a large standing police force to be able to act in emergencies only which may not occur more than three or four times in a year. Considering the overwhelming evidence available to the Commission, they are of the view that the force should be expanded in order to act effectively without much cost as an organisation in a thickly-populated State like Bihar with such extensive borders.

193. The Commission visited the training establishment at Bihta and were impressed with the turnout and performance of the Home Guards. In order to help those Home Guards who need employment, the Commission are of the view that they should afford a very good recruiting ground for the armed and unarmed police. This will serve as a great incentive. It has also been suggested that since the Superintendents of Police have to lean more and more on this organisation during an emergency, section 4 of the Home Guards Act should be so amended as to authorise them to call up Home Guards. This authority at present vests in the District Magistrate and the Inspector-General of Police. The Commission are not in favour of any amendment to this provision of the law, particularly as there has been no indication at all during the evidence of any police officer to suggest that there has been either delay or confusion with regard to calling up of Home Guards. A Committee has been set up by the Government of India and it may be useful to await the result of its deliberations before any further steps are taken either to re-organise the force or to expand it. With a dynamic national planning bringing in its way rapid industrialisation and the consequent upsurges, not to say of tensions in many parts of the State, the Commission are of the view that this organisation can well be depended upon to execute its auxiliary duties.

194. The Commission, during their visit to the Central Training Camp at Bihta, found the living conditions extremely poor and recommend a phased programme of construction of buildings.

B. SPECIAL POLICE OFFICERS

195. In the evidence of some of the witnesses, it was suggested that the Commission should also consider recommending the appointment of special police officers to fight the anti-social elements in the society. There is a provision under section 17 of the Police Act (V of 1861) to appoint special police but it can be done only when any area is found to be disturbed or in a dangerous state and the police force ordinarily employed for preserving the peace not sufficient. While on a visit to Calcutta, the Commission were informed that a volunteer organisation consisting of special police officers had done good work in controlling anti-social elements and directing traffic during large congregations. In England, numerous statutory provisions exist for appointment of special constables to provide additional police assistance. Special Constabulary reserves are maintained throughout the country, consisting of citizens who are enrolled as special constables and who are ready at any time to turn out to assist the regular police force.

196. Under the existing provision of the law, such a force cannot be raised in this State but the Commission recommend for the consideration of Government that a legislation on the lines of West Bengal Act XXLV of 1955 may be undertaken to create a corps of special police officers who will not be entitled to any remuneration but will be required to perform such duties as are entrusted to them and will be subjected to their own rules of discipline. Such an organisation should not be given the character of a regular police force. It should not be necessary for these volunteers, who may be citizens of eminence, as in Calcutta, to undergo any intensive course of training or to work under junior police officers. Some lectures on law and a preliminary acquaintance with police work should be sufficient. It is of interest that in Calcutta these volunteers use their own motor vehicles without charging Government even for their propulsion. If such a corps is raised, their members could work in collaboration with the Commissioner of Police of the city of Patna, to start with, and the force could be directly under the Inspector-General. The Commission are of the considered view that such a step will go a long way to undermine the morale of the anti-social elements who cannot easily be dealt with under the ordinary law by a policeman in uniform. The moral influence of such an organisation will have, according to the Commission, a very salutary effect on the society and is well worth an experiment.

197. In Bombay, there is a scheme of employing police watchmen for industrial projects.¹ This auxiliary body of watchmen are under the operational and administrative control of the police but their cost is met by the industrial concerns who want to entertain this force for preventing thefts of industrial materials. In this State, theft of industrial materials has caused some concern in the industrial belts of Dhanbad and the steel city of Jamshedpur. It is perhaps difficult for the regular police to pay any special attention to this problem and, therefore, if the industrialists favour the adoption of the Bombay scheme, it should be favourably considered. Appropriate rules can be framed under section 13 of the Indian Police Act (V of 1861).



1. Rules 425—428 of Bombay Police Regulation.

CHAPTER XV

POWERS AND DUTIES OF THE POLICE

A. POWERS

198. A State entrusts the police with the great task of co-ordinating the conflicting wills of the individuals so that a person is able to pursue his ends to his own satisfaction without let or hindrance, and at the same time without harming the interest of others. To enable the police to achieve this purpose, the State vests them with certain powers. Before the Police Act (V of 1861) came to be legislated, the powers of the police were not clearly defined or properly codified. The highest police officer invested with certain statutory powers was the Daroga; he was empowered to take cognisance of certain classes of offences, to arrest the accused, to recover stolen property and to prevent breach of the peace. He was, however, prevented from making enquiries into other classes of offences. Sir John Shore of the Civil Service recorded in his "Volume on Indian Affairs" in 1835 that the scheme of powers vested in the police was contradictory, for, large powers were vested in the Daroga but restrictions were imposed on him in respect of petty offences. Considerable stress was also given on the combination of the judicial and police functions in certain officials and a Daroga was empowered to record confessions. The Indian Police Commission of 1860 were expressly asked by the "Supreme Government" to ensure a complete severance of police and judicial functions. The present scheme of the investment of statutory powers in the police is based on the Police Act (V of 1861), the Code of Criminal Procedure, 1861, the Indian Penal Code of 1860 and the Indian Evidence Act of 1862. Section 20 of the Police Act (V of 1861) provides that :—

"Police officers enrolled under this Act shall not exercise any authority, except the authority provided for a police officer under this Act and any Act which shall hereafter be passed for regulating criminal procedure."

For preserving the peace, the police have certain regulatory and restrictive powers. These powers again are drawn from the Police Act which authorises the police to regulate and license public assemblies and processions, regulate the extent to which music may be played on the streets and to keep order on public roads and public places under sections 30, 30A and 31. Section 34 of the same Act enables the police to take steps for preventing obstructions, inconvenience, annoyance, risk, danger or damage to the members of the public. For preventing and detecting crimes, the police have been similarly given powers under the Police Act and the Code of Criminal Procedure. Section 23 of the Police Act authorises a police officer to apprehend persons for whose arrest sufficient grounds exist and empowers every police officer, for the purpose of discharging his obligation, to enter and inspect disorderly places. Sections 149 to 153 of the Code of Criminal Procedure vest in the police powers to prevent commission of cognisable offences, injury to public property and use of false weights and measures. The police have to exercise these powers on their own initiative just as they have to investigate cases in the manner indicated in the Code of Criminal Procedure. Besides these substantial legal powers of the police, their powers in respect of certain classes of offences are also provided in the Indian Penal Code.

In the present scheme of investment of statutory powers, the powers of the officer-in-charge of the police-station, due to his special responsibilities, assume a legal significance. These powers only vest in him and in all his superior officers under section 551 of the Code of Criminal Procedure. Section 14 of the Code visualises investment of powers of a Special Magistrate in certain classes of police officers. These powers are not to be vested in any rank below that of an Assistant District Superintendent of Police and the use of these

powers is limited to the purpose of preserving peace, preventing crime, detecting, apprehending and detaining offenders. The Police Act (V of 1861) provides for some extra powers to be vested in superior police officers. The Inspector-General of Police is a magistrate for a limited purpose under section 5 of the Act and is empowered under section 12 to frame departmental rules and regulations. Section 7 of this Act empowers superior police officers to take disciplinary action against the members of inferior ranks.

It should appear from the above that the powers of a police officer in respect of an act done by him officially affecting the liberty of the subject are greater than those accorded to a private individual. Any assault upon a policeman and obstruction caused to him while in execution of his duty are special offences under the law. But no policeman is above the law or immune from the jurisdiction of the court of justice for any breach of the law committed by him in the discharge or intended discharge of his duties. Some protection has, however, been given to a police officer as a public servant by providing that sanction of the appointing authority has to be obtained for his prosecution for any breach of the law committed in the actual discharge of duties. Adequate safeguards have been provided in the law and the departmental regulations against any misuse of power. In the Code of Criminal Procedure are provided certain checks to be exercised by an elaborate judicial machinery; the Indian Evidence Act imposes certain restrictions by making confessions before the police inadmissible in evidence; and departmental regulations prescribe the procedure to be adopted in exercising the various powers and provide supervisory checks, where necessary.

199. The question whether the powers that vest in the police today need any revision or modification has elicited the views of a very large number of witnesses. In the opinion of the majority of them, the present powers of the police are not adequate and in order to enable them to discharge effectively the important duty of preserving the public peace, suggestions have been made from witnesses, including Judges, Lawyers, Legislators, Mukhtiyas and senior civil servants that certain ranks of police officers should be empowered under section 144 of the Code of Criminal Procedure so that *ad-interim* prohibitive notices pending their final adjudication by the magistrate having jurisdiction can be passed by the police without any loss of time. Another suggestion is that the Superintendent of Police should exercise the powers under sections 30 and 30A of the Police Act (V of 1861) in an unfettered manner. It is also the view of some witnesses that he should be authorised to issue licence for procession under the Bihar Maintenance of Public Order Act. The representative of the All-India Trade Union Congress, Jamshedpur, has supported the vesting of limited regulatory powers under section 144 of the Code of Criminal Procedure in certain ranks of police officers. A number of witnesses, including two former Judges of the Patna High Court, a senior District and Sessions Judge, who has now been raised to the High Court Bench, and the Chairman of the State Public Service Commission, till lately of the Indian Civil Service, suggest that some judicial powers may also be vested in senior police officers in order to expedite the trials of offences under the Motor Vehicles Act, section 34 of the Police Act, and enquiries instituted under the security provisions of the Code of Criminal Procedure. The Chairman of the State Public Service Commission is firmly of the opinion that more trust should now be reposed in the police, and, therefore, not only should confessions made before certain ranks of police officers be admissible in evidence, but also, officers of the rank of Additional Superintendent of Police and above should be empowered to enquire into the proceedings under the security sections of the Code. He feels that the police would not betray the trust and enquiries into security proceedings by senior police officers would ensure more expeditious disposal of these proceedings, and also deter subordinate police officers from submitting frivolous and malicious reports. The State Development Commissioner, who is also a senior member of the Indian Civil Service, has suggested that the Superintendent of Police should, in the present administrative set-up, be trusted with more powers in order to enable him to function in most of the day-to-day matters of prevention of breach of peace and detection and prevention of crime without the necessity of obtaining prior

approval or concurrence of the District Magistrate at every stage. The Law Commission of India are in favour of allowing police officers of higher ranks to record confessions which could be admitted in evidence.

As against the aforesaid views, some witnesses definitely consider the powers that are at present exercised by the police quite excessive and recommend appropriate modifications in order to make the police play their proper role in a democratic set-up. A third group of witnesses, however, think that the present powers are just adequate and need neither be enlarged nor modified.

200. The Commission have given this important subject their most anxious consideration and it is their view that any radical revision of the statutory powers is not indicated at present. The powers to prevent an offence, to arrest without warrant, to use the minimum of force in certain circumstances, to regulate processions and meetings, to requisition public assistance and to prevent damage to property or person are adequate and need not be enlarged or restricted. The demand for empowering officers-in-charge under section 144 of the Code of Criminal Procedure is not necessary as in the rural areas, the Sarpanch of the Gram Panchayat has already been empowered under section 64 of the Bihar Panchayat Raj Act, 1947, to take appropriate action for preventing imminent breaches of the peace and in urban areas, there should not be any delay in obtaining notices from the magistrates empowered under this section of the Code. The only exception that the Commission propose is for the city of Patna. The Commission similarly do not propose vesting of any judicial power in any rank of the police for expeditious trials of any classes of offences. The principle enunciated by the "Supreme Government" in 1860 was complete separation of the police and judicial functions and this principle not only holds good even today but any departure from it would be a retrograde step and against the spirit of the Constitution. The suggestions for some change in the operation of sections 30 and 30A of the Police Act or the Bihar Maintenance of Public Order Act, are also not supported by the Commission.

201. It is their most considered view that while it is not necessary to introduce any change in the powers that are at present exercised by the police, there is a justifiable demand for reorientation of the manner in which these powers are generally exercised. The principles that should govern a policeman while exercising his powers should be that he is not above the law, but subject to it like any ordinary citizen and answerable for his actions if he over-steps the legal limits of his powers; that he must always be strictly impartial and must seek to administer the law without fear or favour. In England, the police have almost similar powers, but the sanction for the exercise of the powers is derived mainly from the co-operation given to British policemen by the public. Every British policeman is made to understand that the source of his powers does not lie in the statutes, but in the co-operation that he receives from the people and, therefore, he must endeavour to exercise his powers in a manner calculated to secure their good-will, co-operation and respect.

From the evidence laid before the Commission, it is apparent that the people, by and large, do not grudge the powers that are vested in the police and some of them are even prepared to trust the police with more powers, but a very strong impression prevails that misuse of powers by the police arises generally from wilful and reckless misbehaviour of which some members of the force are often or even habitually guilty and it is only in a few cases that the source of misconduct is an error of judgment, or a faulty procedure of enforcement. There is almost a universal complaint against unjustifiable arrests, against the treatment that is meted out to persons in police custody and against unwarranted searches and seizures of property. Doubts are often expressed in the propriety and regularity of the investigation and enquiries conducted by the police. It is only natural that the largest number of public complaints is made and public opinion is most vividly aroused in regard to the improper arrests made by the police as the Constitution guarantees liberty of the individual except under conditions imposed by law. Independence has brought greater

awareness on the part of the people about their rights and, therefore, any infringement thereof is apt to cause greater indignation. It cannot be ignored that in a democratic set-up, the demands on the police have multiplied and the larger the demand of the community, the more critical it is in regard to police methods and action and the more impatient it becomes for any mistake made by an individual member of the force.

The Commission are conscious of the fact that in a large body of men, it is difficult to ensure that every individual member of the force can satisfy its standards. To expect it would be to expect a perfection which it is not possible to reach in regard to any aggregate of men. Having regard to the infirmities of mankind, the complex conditions of modern life, the multiplicity of duties entrusted to the police, the discretionary character of the work a policeman has to perform, the utmost that can be expected in regard to any police force is that the number of inefficient men in the force at any time as also the number of cases of misconduct, whether due to accident or mistake or wilful wrong-doing, should be so small as not to damage to any appreciable extent, the efficiency and the reputation of the force as a whole. The Commission are also not oblivious of the difficulties and responsibilities of policemen. The proper performance of the greater part of police work depends upon the skill, integrity and general capacity of the individual policeman who has, on the spur of the moment, to exercise a discretion and to act promptly and decisively with little time for reflection. For the mistake or misconduct of the individual, the whole force, or, at any rate, those who are at the head, are generally held responsible at the bar of public opinion. In endeavouring to assess the efficiency of the force as a whole, greater allowance ought, therefore, to be made for the special difficulty of the task imposed upon the individual policeman and the infirmity of human nature to be allowed to count for failure occurring due to no want of care or forethought. The reasons for condemnation of the police particularly in respect of the manner in which the powers are exercised are also historical. Till the other day, the police were used as an instrument to repress the national aspirations and they frequently came in conflict with their own people and it is difficult for them to believe that the police have to serve the people and not to work against them.

202. The Commission are in no doubt that some of the complaints are generally true; but the remedy does not lie in withdrawing all or any of the powers. What is necessary is to ensure that the powers are properly exercised. First, every member of the police force must act lawfully. He ought to take the utmost possible care not to use his powers in a manner which involves any breach of the law and always bear in mind that his powers are intended to secure the substantial needs of justice and, therefore, he must exercise them with discretion. Secondly, he ought to exercise his powers firmly but with sympathy. The existing police regulations are not deficient in bringing home to the members of the force these obligations, but the Commission feel that some of these regulations are often overlooked or forgotten. They note with satisfaction that a Police Code of Conduct outlining the principles which should govern the police in their day-to-day behaviour has been recently revised and adopted all over the country. This Code of Conduct requires the police to uphold the fundamental rights of the citizens, to enforce correctly the law of the land and has emphasised that a policeman has to be courteous, impartial and honest at all times and everywhere. The Commission have no doubt that if these principles are adhered to, people should have no grievance against the police. A copy of the revised Code of Conduct has been placed at Appendix V of this Report.

203. It has been mentioned that the police have been armed with certain regulatory and restrictive powers for preserving peace. If and when these powers are found inadequate to deal with a situation endangering human life and property, the law empowers the police to take a severer action and, if necessary, to use force for dealing with any such situation, but whenever force has been used it has always provoked acute resentment and popular condemnation. The Commission have, therefore, considered it necessary to examine the subject in some detail. There appears to be much unanimity amongst

Use of force.

the witnesses that use of force cannot altogether be ruled out but their anxiety seems to be to ensure that this extraordinary power is used with greater care and caution and only in circumstances which may clearly justify its use. They have, however, found it difficult to specify the circumstances in which armed detachments should be detailed for dealing with law and order situations. Some of them, including senior police officers, have suggested that the deputation of an armed detachment should be made only if there is an apprehension of a specific nature, supported by reliable information to the effect that the members of a mob are not only determined but also armed and likely to be violent. Some other witnesses have suggested that deputation of armed detachments should be limited to dealing with situations arising out of industrial unrest, communal and agrarian trouble, and during elections and large-scale disorders. Another caution indicated is that the deputation of armed police should be made only when the District Magistrate and the Superintendent of Police are personally satisfied about the necessity of such a deputation. They informed the Commission that at present deputations of armed police are rather frequent and this must cease. Some senior police officers have suggested that every detachment must be accompanied by a sizeable force of constables carrying lathis and a tear smoke squad. It is their view that inability of the police to handle the situation with the use of lathi or tear smoke in the initial stages compels them to open fire on the slightest provocation. The Commission consider that as required by law, the authorities must at all times ensure that the minimum of force required to achieve the objective has to be used and the necessity to open fire should be in the last resort and they have recommended a greater use of the lathi and the tear smoke in dealing with unlawful assemblies.

They, however, realise that the task of controlling and regulating the exercise of rights of freedom of speech, of forming associations or of assembly, guaranteed by the Constitution, is now far more difficult and complex than in the days of the British rule. An interference with the exercise of these fundamental rights is limited by the absolute necessity of maintaining law and order and social peace. This necessity has to be carefully judged and the police should, as far as possible, avoid imposing unnecessary restrictions. Bearing these limitations in mind, it becomes increasingly necessary for the police to anticipate situations well in advance and to control them without having to resort to the use of force. An effort should be made to study the psychology of the mob and a human and sympathetic approach sometimes achieves the object. The Commission firmly believe that adequate and timely enforcement of the various restrictive, preventive and penal provisions of law rather than by habitual display of force should generally preserve the public peace. The intelligence system must always be geared up to give timely information for correct appraisal of any situation. Moreover, the use of force becomes necessary because the situation is sometimes not properly and promptly handled before the explosive stage is reached. Appropriate steps must always be taken in time to prevent or reduce tension so that use of force could be avoided. It is sometimes the want of action or the delay in taking action, or inept handling of a situation, that leads to avoidable complications. If these shortcomings could be avoided, the Commission feel that the use of force would not be so frequent. Be that as it may, they recommend that no limitation on the existing powers with regard to the use of force by the police need be imposed.

The Commission do not propose any further change in the recently amended Police Manual rule 621, a copy of which is attached to this Report in Appendix VI. Whenever a detachment of the armed police is deputed, the authorities must satisfy themselves that all restrictive and preventive measures have failed and that the situation is serious and the possibilities of the danger of damage to property or human life are clearly established. It is difficult to prescribe and enumerate the circumstances in which armed police should be deputed, but the Commission are in agreement with the view of several witnesses that, amongst others, a deputation of armed police should be justified if required to deal with an apprehension arising out of a serious riot, labour unrest, communal or agrarian trouble, or to control religious festivals and melas having adverse communal history, or to encounter

rangs of armed criminals. In the very nature of things, the list of circumstances cannot be exhaustive. The Commission desire that the frequency with which armed detachments are detailed at present must diminish and it should be possible to avoid large-scale deputations of armed police on the occasion of festivals, if the agency of the Gram Panchayats is properly utilised and its responsibility for keeping the peace fully enforced. The Commission have been informed that during the period of tension created by the All-India Railway as well as the Postal strike, the Gram Panchayats did splendid work all over Bihar. Again, when there was tension soon after the promulgation of the Bihar Anti-Cow Slaughter Act, particularly during a communal festival, the Gram Panchayats were of great assistance to the authorities of law and order in maintaining peace. There is, therefore, no reason why, for day-to-day administration even in matters relating to law and order, the valuable assistance of this great organisation should not be sought more frequently to prevent unnecessary and at the same time expensive and irksome deputations of the regular police forces in the rural areas. The old practice of making routine deputations during communal festivals to a large number of villages should be progressively decreased. In urbanised parts, the intelligence system should be so organised that any untoward incident should be easily forestalled and when any situation develops requiring the use of force even to the extent of opening fire, the police must learn to make their approach so human and sympathetic that there is no bitterness left behind the action that they take. They should realise that they operate against their own people, however misguided they may be. At the same time, when force has to be used it must be used promptly, effectively, firmly and impartially but not excessively as speedy action taken with firmness will always cause less damage than otherwise. The Commission have already recommended that a tear smoke squad should be attached to every district. It is also their desire that the present haphazard training which is being imparted in lathi drill should be more rational. The constables, both in the armed wing as well as in the unarmed establishments, should be taught how to use the lathi effectively. Whenever an armed detachment of police is detailed to an area which is disturbed, it should be accompanied by a tear smoke squad and a posse of constables armed with lathis. A magistrate should always accompany such a deputation and in such an event he must assume complete responsibility for all police action unless his directions are disregarded. He need not, however, interfere with the actual drill or deployment that is adopted in the execution of the task until it amounts to non-observance of his directions. The minimum of force has to be used and the magistrate or the senior police officer present, if no magistrate accompanies the party, should use his discretion in sending into action the tear smoke squad or the constables armed with lathis before the armed police are commissioned. The deployment in this order is not obligatory but advisable. When situation so demands there is however, nothing to prevent the armed detachment going into action. There is considerable evidence before the Commission to indicate that the police are generally not trigger-happy and that they have to resort to firing in some cases when they cannot face a fusillade of brickbats. If proper equipment like steel helmets with some visors is provided and if the constables are physically tough they should be able to bear the first shock of such an attack without having to resort to firing. A more elaborate course of physical training is, therefore, necessary to be specially designed for the Special Armed Police (Bihar Military Police) and the District Armed Police.

201. The scheme of departmental powers is regulated by the rules framed by Government under section 46, and, by the Inspector-General, under section 12 of Act V of 1861. Appendix 2 of Volume III

Departmental powers.

of the Police Manual contains a list of powers delegated to the Inspector-General and Deputy Inspectors-General. Powers of other ranks have been indicated at appropriate places in the Police Manual. The witnesses are divided on the necessity of decentralisation of departmental powers for ensuring speed and efficiency, but a very strong view has been voiced by senior police officers, including the Inspector-General of Police, Bihar, that without introducing any basic change in the present scheme of powers,

some appropriate changes by delegating suitable powers to officers of different ranks should be tried. Considerable evidence has been laid before the Commission to indicate that due to centralisation of powers at various levels, particularly at the level of Government, there is considerable delay in the execution of urgent police projects. They suggest that the financial powers of all ranks from the Superintendent of Police to the Inspector-General of Police should be increased with a view to enabling quicker sanction of house rent, speedier construction of police buildings and expeditious execution of other police projects. In this regard the evidence of the Secretary to Government in the Finance Department has been most helpful and the Commission generally agreeing with his views have made certain recommendations in the following paragraphs.

Delegation of administrative powers have been suggested in order to enable a Superintendent of Police to depute an investigating officer to any place in the country for enquiries and investigation without having to obtain the sanction of the Deputy Inspector-General. One Deputy Inspector-General of Police has suggested that the Superintendent of Police should also be authorised to grant advance from the Provident Fund, sanction allowance for the maintenance of motor-cycles, reimburse expenditure incurred on medical treatment and sanction house rent up to certain monetary limits. The authority of the Superintendent of Police to transfer officers within the district should be unfettered. There is sufficient weight in the argument of the witnesses that decentralisation should be accepted as the basic policy of the administration as it is getting more and more expensive and complex every day.

The Commission, therefore, recommend that the scheme of decentralisation of powers, as suggested above, should be implemented and the Inspector-General of Police should be in a position to get all building projects of the department executed without delay. His financial powers should be enlarged in respect of "petty construction", "minor works" and projects connected with public health engineering, as also electrification. The view of the Commission is that the Inspector-General should be authorised to sanction electrification of any building as the Commission are informed that even now a large number of police buildings in towns and cities are without this amenity on account of the involved procedure of obtaining sanction.

The Deputy Inspector-General of Police has no financial powers at present. The Commission are of the view that he should share some of the powers with the Inspector-General, especially in respect of "petty construction". A Superintendent of Police should be authorised to sanction projects of "petty construction" up to Rs. 500. Some powers should also be delegated to the Superintendent of Police to enable him to sanction house rent up to Rs. 50 per month. The subordinate members of the force seem to be considerably exercised over the delay in the reimbursement of the expenditure incurred on medical treatment. This legitimate grievance should be removed by authorising the Superintendent of Police to sanction reimbursement up to Rs. 50. The present upper monetary limits in respect of grants of rewards should be raised to Rs. 1,000 for the Inspector-General of Police, Rs. 500 for the Deputy Inspector-General of Police and Rs. 200 for the Superintendent of Police. The Commission do not consider it necessary that the Commissioner or the District Magistrate need normally sanction rewards as it affects the internal economy of the Police Department. In the light of these recommendations Police Manual Appendix 2 will require to be revised.

The scheme of administrative and disciplinary powers has to be considered in the background of the recommendations that have been made by the Commission for the creation of the two new ranks of Chief Inspector and Assistant Inspector and because of the re-definition of the duties of the Inspector. While no material change in the scheme is contemplated, the Commission consider it necessary to state precisely the powers of the Inspector-General and his officers, especially in respect of the officers of the new ranks and in view of the role of the proposed Police Service Commission.

Since the State Government will be the appointing and dismissing authority of a Chief Inspector, the Inspector-General will only have powers to suspend him and obtain Government's approval at the earliest opportunity. If a censure or a minor punishment has to be awarded, the Inspector-General will be competent to order it without a reference to Government or the State Public Service Commission. As contemplated in rule 12 of the Bihar Public Service Commission (Limitation of Functions) Regulations, 1957 the Inspector-General will also have power to inflict other major punishments like reduction in rank or pay, but in such a case the advice of the State Public Service Commission should be sought. He will also have power to transfer a Chief Inspector and grant him leave.

An Inspector of Police will be appointed on the advice of the proposed Police Service Commission. In order not to increase the work of the Inspector-General, the appointing authority of an Inspector should be a Deputy Inspector-General so that he becomes the dismissing authority and the first appeal against his order will lie before the Inspector-General. The Superintendents of Police will have powers to suspend an Inspector and obtain the Deputy Inspector-General's approval forthwith. He will have powers also to inflict major and minor punishments as contemplated in the Police Manual. The appeal against an order inflicting a major punishment will lie before a Deputy Inspector-General. In case a Deputy Inspector-General proposes to dismiss or remove an Inspector, the advice of the Police Service Commission should be sought before the orders are passed.

The appointment of Assistant Inspectors will also be made on the advice of the Police Service Commission. The appointing authority of Assistant Inspectors of Police. Assistant Inspectors should be the Deputy Inspector-General and he will thus be the dismissing authority. Before an order of dismissal or removal is passed the advice of the Police Service Commission should be sought. A Superintendent of Police will have powers to inflict all major and minor punishments as contemplated in the Police Manual. An appeal against any order of major punishment passed by a Superintendent of Police will lie with the Deputy Inspector-General.

The Superintendent of Police will be the appointing and dismissing authority in respect of Head-constables and constables and the first appeal against any order inflicting any major punishment including dismissal passed by a Superintendent will lie with the Deputy Inspector-General.

B. DUTIES

205. The present scheme of entrustment of duties and investment of powers to the police can be traced to the recommendations of the first Indian Police Commission of 1860. The Government Memorandum accompanying the Resolution appointing that Commission laid considerable emphasis on the nature and character of police duties; the duties of the police were to be entirely civil; their various functions were to be either protective, repressive or detective with a view to preventing crime and disorder; finding out criminals and disturbers of peace and bringing the latter to justice; and the police were not to perform any judicial function. The Commission (1860) accepted the principle embodied in this definition of police duties. Section 23 of the Police Act (V of 1861) defines their statutory duties.

The Act also requires every police officer to lay information before a magistrate for pressing into action the machinery of law, to take charge of all unclaimed property, to dispose of them and to keep order on public roads and other public places. It is significant that the law requires a police officer to be always on duty.¹ Within the scope of the

1. Section 22 of Police Act (V of 1861).

aforesaid statutory provisions, various rules and departmental regulations have been framed to specify other duties of the police. It is emphasised in the Police Manual that "the most important duties of the police are the prevention of crime and the maintenance of law and order....."¹ and, therefore, "the police shall not be employed on miscellaneous duties that take up time which might be more usefully devoted to the repression of crime....."²

The police work, to-day, while basically a law enforcement calling, is quite different from what it was even fifteen years ago. The concept of the work entrusted has greatly expanded now embracing many fields of human activities. The preservation of public peace is still the most important duty of the police but for discharging this obligation, the police have to attend to every minor detail that comes to their notice from day-to-day. There is a greater emphasis on the police to ensure to every citizen the rights guaranteed to him in the Constitution. The responsibility for the protection of life and property is no longer restricted to the prevention of crime and repression of the activities of criminals. Their role should assume a more positive approach in rendering first aid, ensuring safety on the streets, assisting in combating fire and numerous other similar duties. The philosophy of crime prevention has also undergone a considerable change. Some criminologists are of the view that the prevention of crime does not depend entirely on repressive measures but on harmonious combination of both repressive and curative action. A plethora of enactments has added to the volume and complexity of police work. The police have today to deal with a much wider cross-section of the public since a large number of legislative measures have brought increased chances of wrong-doing even to the well intentioned. Another change in the complexion of police work has been caused by the growing education and consciousness amongst the people, some of whom are only cognisant of their rights but oblivious of their obligations. These factors have made the responsibility of the police more exacting.

206. Only a few witnesses have held the view that the functions of the police as defined by law and departmental regulations require to be revised. No specific suggestion has been made by any of them. Majority of the witnesses are, however, of the view that the basic concept of police functions does not require any revision, but, for good reasons, some other duties which may not be strictly covered by the present day definition of police function can be performed by the police. According to these witnesses, police should participate in rendering relief in the event of natural calamity, in the enforcement of morals and in the prevention of social evils like juvenile delinquencies. Some of these witnesses explain that the accepted concept of police work does not exclude these duties, particularly when on the police rests the overall responsibility of safety of property and person. They also think that participation of the police in such duties will go a long way to bridge the gulf between the police and the people and thus remove the prevailing distrust and antipathy. These witnesses are not prepared to accept that the participation of the police in social welfare activities or work connected with the functions of law and order may inevitably tend to bring the police into undesirable closeness with various local prejudices and cliques and thus bring about a marked deterioration in their general efficiency in the discharge of their primary work. The only caution which these witnesses want to emphasise is to ensure that the employment of policemen on the aforesaid duties should not be at the expense of their normal police work or their professional efficiency and vocational training. The Commission concur in the view of the majority and recommend that the statutory duties of the police need not be enlarged or revised. They should take limited interest in problems dealing with juvenile delinquencies and other social evils. The resources of the police should, however, be mobilised for rendering relief in the event of any natural calamity, particularly during fire, flood and famine. The present departmental rules require the

1. Rule 2 of Police Manual.

2 Rule 6 of Police Manual.

police to perform certain duties in the event of famine vide rule 98 of the Police Manual and Appendix 5 and in the event of fire, rule 101 of the Police Manual requires the police to assist in extinguishing fire and to protect the rescued property. The Commission favour the continuance of these rules. Once the advisability of allowing the police to associate themselves with relief measures and social welfare activities even in a limited manner is accepted, the Commission are in no doubt that police officers must be suitably trained so that when they perform such duties they do it well and efficiently. The Commission are informed that facilities exist for imparting instructions in relief measures and in social sciences. These facilities may be fully utilised.

207. Some witnesses have pointed out that quite a number of duties performed by the police can well be transferred to other departments. The Commission have examined these suggestions and are of the view that most of such duties have been performed by the police due to historical reasons. As the police-station happened to be the only unit of administration below the subdivisional level, it was convenient to entrust some non-police duties to this unit. Now that the administrative structure is broad-based and functionaries of various departments of Government are operating at levels below the police-station, it is only advisable that such duties should no longer be entrusted to the police but to these officials. The Commission would advise that the police should have little to do with the registration of births and deaths, submission of statistics and report about epidemics, crops, weather, census of human beings and live-stock, and service of summonses, execution of warrants and other processes in non-police cases and in the investigation or enquiry of non-cognisable crime. This list is merely illustrative and the Commission imagine that quite a few other items of work could be taken away from the police. They are unable to make any other specific recommendations as each of these items will require to be investigated in all its aspects and this work can well be entrusted to a suitable departmental committee. The Commission, however, hope that the police would be relieved of all non-police duties as soon as possible and the time thus saved could be better utilised for more efficient and effective performance of primary police functions.

208. Some witnesses have suggested that whereas the duties of the police are well defined, they are not properly shared by different ranks of police officers. In this connexion, pointed attention of the Commission has been drawn to the deficiency that continues in support of the duties that are performed by the constables. The first attempt to define the duties of the subordinate ranks was made by the Police Committee of 1891. It was followed up by the Indian Police Commission of 1902-03 which recommended that important and responsible duties ought not to be entrusted to the constables. This recommendation is incorporated in rule 89 of the Police Manual. Now that the Commission visualise that a superior class of constables would be recruited on higher emoluments and better facilities for training, it is undesirable that this rule should continue in its present form. A constable should be expected to exercise his discretion and assume responsibility. In all progressive police forces, every constable is a live unit of the force and thus the constabulary forms a solid corps. It has been stated by many that constables who are recruited and trained to work like automatons generally act as a drag on their officers and the force. This view has been well expressed by the Bihar Police Association. The Commission desire that a constable on the beat should be responsible for maintaining the public peace, for protecting the life and property of the citizen, for preventing crime, for arresting offenders and for properly enforcing all laws of which the police have to take cognisance. He should perform his duties intelligently and efficiently and should hold himself in readiness at all time to answer to the calls that are made on him. He should know everyone living in his beat and he should always be readily available to give help whenever any legitimate assistance is needed. Above all, he should work, behave and act like an officer. The force and the people should also be ready to show him the necessary courtesy and consideration due to an officer. The Commission visualise that a few amongst them may rise to senior posts and

they have now given them the necessary avenue of promotion which may even take them to the highest ranks.

The duties of the administrative officers, namely, the Inspector-General and the Deputy Inspectors-General as also of the Superintendents of Police as defined in the Police Act and the Police Manual need not be disturbed. Their duties connected with the supervision of cases have been discussed in the next chapter. The Assistant or Deputy Superintendent of Police has to assume greater responsibility and function effectively as second officer as contemplated by the Indian Police Commission of 1860 and section 1 of the Police Act. His duties have already been discussed in Chapter III of this Report. The Chief Inspector's duties have also been indicated in the same chapter. He will occupy a very key position in the hierarchy of the supervisory staff.

The officer-in-charge of a police-station has to assume greater departmental responsibility with regard to maintaining the peace in his whole jurisdiction and especially with regard to organising measures to prevent crime and for taking suitable steps to detect it. The duties of the supervisory officers should not overlap unnecessarily and should be so well defined that there is no duplication or diffusion of authority and thus the whole hierarchy of the police is committed to one great cause of maintaining peace and tranquillity which is so essential if the country has to progress in accordance with the various plans introduced for its prosperity.



CHAPTER XVI

SUPERVISION

209. The subject of supervision has an important bearing on the work and conduct of any service or force, for, the necessary control to be exercised or the guidance to be given has to be in accordance with a well defined scheme which does not leave any room for doubt or any cause for confusion. This important subject has evoked a number of suggestions from the witnesses. It was a subject which was also widely discussed in the written evidence that was received not only from the members of the Bihar Police Force but also from officers of other Police Forces in India.

210. The present system of supervision over the police has two aspects, namely, the control and supervision exercised by the magistrate over the police and that exercised by the police officers themselves.

A. MAGISTERIAL

211. The system of magisterial supervision over the police can be traced to the year 1781 when the office of the Fouzdar was abolished and superseded by the judges of the civil courts who were also given powers over the police. These judges were later designated as magistrates but did not actually function as magistrates or judges in law courts. The post of Collector of a district was created in 1772. This post was made a permanent part of the administrative structure in 1786 when the Court of Directors ordered that all authority and responsibility should be concentrated and combined in the office of the Collector. This concentration of power was obviously in conformity with the Mughal tradition of absolutism and it is significant that in a minute recorded by Sir John Shore, it was mentioned that as Indians were accustomed to a despotic rule, any officer sent to govern them should unite in him protective, punitive and also revenue functions.¹ In due course he combined in himself the functions of a magistrate for supervising the work of the police and other magistrates and of a Collector for revenue administration. The combination of functions has become a matter of great controversy ever since then. The various reports and minutes recorded throughout the period of the British rule showed the anxiety of the Government to give the country an efficient police administration and many experiments were tried to organise and reorganise the administration at various levels.

212. From all accounts, the police administration in Bengal was in a state of turmoil towards the middle of the nineteenth century and the controversy over this matter was referred to in the "Report on Civil Salaries"² which mentioned that police duties had been taken away from both the revenue and the magisterial functionaries in Bombay and the system was to be extended to Madras. In Bombay, the remedy applied was the appointment of a Superintendent of Police in each district with no other duties to divert his attention from his most important functions of preserving the peace and apprehending the offender. The Government of Madras applied the same remedy as they were convinced that by the separation of the police and revenue functions, efficiency and integrity would improve. The reasons for achieving such a separation both in Bombay and Madras were that "the Collector-Magistrates could not bestow on the police the attention it deserved; that the union of the characteristic excellencies of a good Judge and a good Superintendent of Police were among the rarest combinations which could be expected from human nature; that the Collector-Magistrate was often many miles distant from the scene of the crime, and could not relinquish his other business in order to trace out the perpetrators; that the few instances in

1. Minutes recorded in 1785.

2. Report of Mr. Rickets, a Civil Servant of Bengal, on Civil Salaries.

which magistrates did personally take up the police inquiry into any crime, showed, by their success, the benefit which would result from always having an officer of that class available for the conduct of police investigations". It was also said that "the degree of supervision which the magistrates were able to exercise over its proceedings was, by no means, adequate. The time of the magistrates was principally directed to their revenue duties, and those who took the most active interest in the superintendence of the police, were debarred by the other calls upon their attention from devoting to it that unremitting care and supervision which were essential to the detection of crime." Nothing concrete could, however, emerge as the Mutiny intervened. After the suppression of the Mutiny, the attention of the Government of India was again turned to the enormous task of reforming the police and the first Indian Police Commission came to be appointed. To the Resolution appointing the Police Commission was annexed a memorandum containing the characteristics of a good police force. The Indian Police Commission submitted their report in September, 1860 and stated therein that one of their important objects had been, among other things, to place the relationship between the police and the magistracy on a proper footing, and to preserve the responsibility then vested in the magistrates for the conduct of the criminal administration, and, on the other hand, to take care to secure to the police officers the position necessary to the discharge of their responsibilities for the prevention and the detection of crime. The Commission recommended that in every district there should be at least one European District Superintendent of Police who should be departmentally subordinate to the Inspector-General of Police in every matter and be responsible for the efficiency of his force. He was, however, bound to obey the orders of the District Officers in all matters relating to the prevention and detection of crime, the preservation of the peace and other executive police duties. He was to be in constant and intimate communication with the District Officer. The Indian Police Commission of 1860 also fully endorsed the proposition that there should be complete severance of the executive police from the judicial authorities, but with the constitution of the official agency then existing in India, they recommended an exception to be made in favour of the District Officer only. It was at his level and his level alone that there was to be unification of revenue, judicial and executive functions. This recommendation was obviously based on the then system of administration and also because of the anxiety of that Commission not to deprive the police and public of the valuable aid and supervision of the District Officer who was generally an experienced and able administrator. The Commission felt that this departure from an accepted principle of separation would be less objectionable in practice when the executive police were kept departmentally distinct and made subordinate to their own officers. It is also significant that the Commission of 1860 made it clear that the District Officer was the only officer in each district in whom police and judicial functions should unite and, therefore, recommended that all officers below that grade who were invested with police functions in those days should not exercise those functions. The Commission further said that in view of the appointment of the Inspector-General of Police to be the chief inspecting and controlling police officer there was no necessity of continuing to invest the Commissioners of divisions with the responsibility "of oversight over police matters."

One of the important propositions of the Police Commission of 1860 was contained in a Police Bill which the Commission recommended for enactment. This Bill was introduced in September, 1860, by Sir Bartle Frere, the then Home Member of the Governor-General's Executive Council. There was the criticism of this Bill that it was a "half and half measure" and that the separation of judicial and police functions was but partial. While replying to this criticism Sir Bartle Frere said as follows :—

"..... In England Police Reforms were commenced in the time of Henry III, and the subject was very vigorously taken up in the time of Elizabeth, but little effectual was done until the time of Sir Robert Peel. It took a very

long time to carry out the principle of a police force separate from and independent of the Judicial Magistracy in the Metropolis, and now, though more than thirty years had passed since the principle had been recognised by all the great authorities and by public opinion in England, it had not yet been fully extended throughout the United Kingdom. But every year some progress had been made, and I hope that at no distant period the principle would be acted upon throughout India as completely as my Honourable friend could desire....."

These reforms were completed throughout the United Kingdom soon after. In India the Bill was passed into Act V of 1861 and section 4 provides the law that governs police administration even to-day. It reads as follows :—

"The administration of the police throughout a general police-district shall be vested in an officer to be styled the Inspector-General of Police, and in such Deputy Inspectors-General and Assistant Inspectors-General as to the Local Government shall seem fit.

The administration of the police throughout the local jurisdiction of the Magistrate of the district shall, under the general control and direction of such Magistrate, be vested in a District Superintendent and such Assistant District Superintendents as the Local Government shall consider necessary.

The Inspector-General and other Officers above-mentioned shall from time to time be appointed by the Local Government, and may be removed by the same authority."

213. In 1902 came to be set up the second and the last Indian Police Commission. While they did not basically alter the administrative set-up of the police, they examined the question relating to magisterial control in some detail as they found substantial evidence to indicate that the interpretation given to this section varied and there was great diversity of practice in the different Provinces. They attached so much importance to this subject that a whole chapter entitled "The Police in their relations to Magistrates and to Commissioners" was devoted to it. While the administration of the district police according to them vested in the Superintendent *under the general control and direction* of the Magistrate of the district, they thought that the precise meaning of the words just shown in italics should be interpreted in reference to section 7 of the same Act which placed all appointments in the hands of superior officers of the police and section 12 which gave the Inspector-General wide powers for framing rules for the guidance of the department and the work and conduct of the officers.

The mass of evidence available to that Commission favoured the Bombay pattern of police administration and deprecated the duality of control. Some Commissioners who gave evidence before them suggested that the office of the Inspector-General created by the Commission of 1860 should be abolished and the control should again be vested in the Commissioners. The Indian Police Commission had no hesitation in rejecting this proposal because of the overwhelming evidence against it. They, however, thought that the object of the Police Act (V of 1861) was to provide an "efficient instrument at the disposal of the District Magistrate for the prevention and detection of crime". Therefore the work of the Superintendent was to be done "under the general control and direction of the Magistrate" and "subject to his orders". They also thought that it was essential to preserve the responsibility of the District Magistrate for the general success of the criminal administration of the district. This responsibility he could only discharge if the police were made functionally subordinate to him. He was, therefore, entitled to issue to the police any orders necessary to secure the efficient discharge of their duties connected with detection and prevention of crime and the preservation of peace. They, however, thought that the District Magistrate's intervention

was "not intended to be constant or detailed" and in fact they had found that in some Provinces and especially by some District Magistrates a degree of interference prevailed. This the law did not contemplate, and had often been found most prejudicial to the interests of the department. Superintendents of Police were not to be treated in a manner which would undermine their authority but they thought that "the language of the Police Manuals of almost all the Provinces had the same tendency to undue interference by the District Magistrate". This was, according to them, not the intention of the law. Amongst the important and specific recommendations made by them on this vital subject were (1) that Divisional Commissioners should be relieved of direct interference in the details of police administration and their responsibility should be limited to the duty of supervising and advising District Magistrates; (2) that the responsibility of the District Magistrate for the criminal administration of the district must be preserved, and that he must, therefore, be given authority over the police; but that this authority should be of the nature of general control and direction and not of a constant and detailed intervention.

A contemporary writer¹ on administration in India during the British regime commenting on this aspect of the administration¹ said that the appointment of the Superintendent of Police was to afford the District Magistrate a colleague and not to give him a subordinate.

214. Several witnesses appearing before the Commission, especially the police officers, have stated that the relationship that exists between the District Magistrate and the Superintendent of Police is not guided by the spirit of the law and certainly not by the intention of its framers. It was also brought to the notice of the Commission that at some places there had been some unfortunate misunderstanding between the District Magistrate and the Superintendent of Police. The rules which govern the relationship between these two important officials are contained in Chapter III and Appendix 1 of the Police Manual. The District Magistrate has all the powers to get enquiries conducted against police officers, to order their transfers and postings within the district, to inspect police-stations, to order surveillance proceedings against suspects, offer rewards, inspect the index of crime and guide investigations through his comments on the special reports. These powers are in addition to the powers which the District Magistrate exercises as the Chief Magistrate responsible for the peace of the district. As regards the transfer of police officers by Superintendents, the existing rules as modified by the State Government in their order of 1945 should continue. The Commission have extensively examined the relationship that should exist between the District Magistrate and the Superintendent of Police and are generally of the view that the present conflict, wherever existing, is due more to a conflict of personalities than a conflict of the system itself. The Commission, therefore, do not propose to recommend any radical change and are of the opinion that while the *status quo* should be maintained as far as possible, the various causes of misunderstanding should be removed. The Commission also examined in detail some of the rules that guide the relationship between the magistracy and the police. They have found that the initiation of the confidential character roll of the Superintendent of Police by the Magistrate and the necessity of obtaining his counter signature on the travelling allowance bills has resulted in some conflict between the Superintendent of Police and the Magistrate. In at least three of the bigger States including the most populous State of Uttar Pradesh which has the largest number of districts and Superintendents of Police in the country, the confidential character rolls of the Superintendents of Police are not initiated by the District Magistrates and the Commission have found that the police administration in those States is no worse than in Bihar. The Commission also attach considerable importance to the point that has been made out that the Superintendent of Police is now the only All-India Service official of district rank other than the District Magistrate in a district and it is,

1. Phillip Woodruff's "The men who ruled India".

therefore, not appropriate for the latter to initiate his confidential character roll. Substantial evidence has also been laid before the Commission to indicate that the writing of the confidential character roll is really a matter for the department and affects the internal administration and discipline of the force. The Commission agree with this view and recommend that the confidential character roll of District Superintendents should be initiated by the Range Deputy Inspector-General and submitted to the Inspector-General through the Commissioner of the division. As regards the countersigning of the travelling allowance bill, there is a great deal of unanimity of view that this responsibility should also rest with the Deputy Inspector-General of Police of the range who can more easily check on the work done on tour by a Superintendent. Even some of the District Magistrates have advocated it. The Commission, therefore, recommend that the travelling allowance bill of the Superintendent of Police of a district should be countersigned by the Deputy Inspector-General of Police of the range. A reference is also to be made with regard to the initiation of the confidential character roll of the Deputy Inspector-General of Police of the range by the Commissioner of the division. There is no State in India except Bombay where the confidential character roll of the Range Deputy Inspector-General is initiated by the Commissioner. In this State also this procedure was not in vogue till 1940. The Commission recommend that following the practice that obtained in this State previously and as it exists in all the other States but one, the confidential character roll of the Range Deputy Inspector-General should be initiated as in the case of other Deputy Inspectors-General by the Inspector-General and not by the Commissioner of the division.

215. While most of the rules do not require any amendment, some of them need such changes as would exclude all possibilities of any misunderstanding between the District Magistrate and the Superintendent of Police so that complete harmony in administration is established and this is most essential for the maintenance of law and order and for the progress of the country. The Commission feel that the relationship between the District Magistrate and the Superintendent of Police should be that of two colleagues working to a common end but they are of the view that time is not ripe for recommending that the general control of the District Magistrate as contemplated in section 4 of the Police Act (V of 1861) should be modified. They, however, express the hope that if all the improvements that have been suggested in this Report for a better police administration are given effect to, the police force should come up to the required standard and a time may come when their officers may be in a position to exercise greater and greater executive powers. The Commission hope that by that time the police force will be rid of those members who should not form part of it; the evil traditions will have been broken; the attitude of the public at large towards the police will have changed because of their work and conduct; public feeling in respect of the police will have considerably improved and the confidence of the people will have been secured. As regards the relationship of other magistrates and the police, the existing Police Manual rules 27—34 need not be amended.

216. It was stated by several witnesses including the Chairman of the Public Service Commission and also the Development Commissioner that in view of the separation of the judiciary and the executive and the tremendous increase in the developmental activities of the District Magistrate, the Superintendent of Police should be given more and more of magisterial powers especially under the preventive sections of the law. It was suggested by one of them that officers of and above the rank of Additional Superintendent of Police should be empowered to dispose of proceedings under section 109 or 110 of the Code of Criminal Procedure. Many officials and non-officials were also of the view that the officer-in-charge of a police-station should exercise powers under section 144 of the Code of Criminal Procedure. The Commission have already said that if the pattern of police administration in the more advanced countries is to be followed, it is not necessary to invest police officers with such powers except that in the case of the bigger cities where the

Metropolitan Police system is introduced, the Superintendent of Police only should exercise powers under section 144 of the Code of Criminal Procedure and such other powers as are exercised by the Commissioner of Police, Calcutta, provided that an order passed by the Superintendent of Police under section 144 of the Code of Criminal Procedure can be altered, modified or rescinded by the District Magistrate. The Commission have also come to the conclusion in another chapter that it would not be necessary nor desirable to invest officers-in-charge of police-stations to exercise such powers and the purpose should be fully served as Mukhiyas of Gram Panchayats can issue orders under this section. The Commission would like to repeat that there should be a complete harmony in the administration of law and order between the magistracy and the police and it must be realised by all that the relationship that would exist between the District Magistrate and the Superintendent of Police would generally guide the police in their relation to other magistrates.

B. DEPARTMENTAL.

217. On the question whether departmental supervision has been adequate or not, opinion also appears to be well divided. A number of witnesses including some subordinate officers of the police, two members of the State Legislature, the Bihar Police Association and the Inspectors-General of Police, Rajasthan, West Bengal, Madras, Manipur and Uttar Pradesh are of the view that supervision and control exercised by the departmental officers are adequate. This view was also supported by an experienced District and Sessions Judge but he felt that the supervisory staff should be made more conscious of their onerous duties. The State Convener of the Bharat Sewak Samaj supports the view that supervision is adequate but suggests that the superior officers should make their inspections of police-stations more frequent. Senior administrative and police officers have, however, felt that the rules on the subject of supervision are not properly enforced and therefore, while there is nothing wrong in the system of supervision, the method has to improve and be brought in line with the rules. There are other witnesses, however, who have voiced quite the opposite view and are of the opinion that there has been considerable falling off, both in the quality and quantity of supervision of cases as also in the inspection of police posts. Some of them, however, feel that this may be due to the police charges being generally heavy and the means of communication available, especially to the circle officers, extremely poor. The Commission have already recommended that both the district and the circle charges should be reduced in size and have welcomed the idea that the jurisdiction of a police-station is to be made co-terminus with that of an Anchal. The Commission have also recommended that an Inspector of Police should be in charge of a police-station and a Chief Inspector in charge of a circle. The reorganisation of the police force contemplated in this Report should be especially helpful in raising the standard of supervision at every level. Many witnesses have suggested that the police administration suffers adversely in no small measure due to the fact that the structure is not completely pyramidal and thus the authority sometimes gets diluted.

218. It is said that the authority of this key official is not always maintained as his second officer, who, according to law is his subordinate, Officer-in-charge of a police-station, is invariably of the same rank as himself and may sometimes be even senior to him in service. The Commission have, therefore, recommended that the officer-in-charge should be designated as Inspector and his second officer as Assistant Inspector so that there is no doubt left regarding the superiority of the officer-in-charge in every respect. The Head-constable who will be next in rank to the Assistant Inspector is to perform clerical duties and help the officer-in-charge in the management of the police-station constabulary. The Commission have already suggested in Chapter III, the duties of the Head-constable when a cognisable case is reported in the absence of the officer-in-charge or the second officer. He has to proceed to the spot forthwith for certain preliminary action, sending intimation simultaneously to the officer-in-charge wherever he is and to the circle officer if the former cannot be readily available.

The Commission are confident that with this arrangement at the police-station, the administration should improve to a great measure and the work of the subordinate staff effectively controlled by the officer-in-charge.

219. There is unanimity of view that the supervision exercised by the Circle Inspectors at present leaves much to be desired and the standard attained is indeed poor in every respect. The Indian Police Commission of 1902-03 also found that the prevailing opinion throughout the country then was that the Inspectors exercised inadequate supervision and their integrity was doubtful. Substantial evidence has been laid before the Commission to support the same view and after considerable thought the Commission have recommended the creation of the post of a Chief Inspector who is to be a full fledged gazetted officer belonging to Class II of the State Service. His educational background, departmental training, status and rank will help him considerably in maintaining his authority and in making his supervision really effective. The Commission have also recommended that a circle should not consist of more than four police-stations and being a superior officer, the Chief Inspector will be able to maintain his own motor transport so that his touring is not impaired or delayed. There is considerable weight in the opinion that with the creation of the post of Chief Inspector as the initial supervisor of all the work in the police-station, there is no need to duplicate the supervision at the level of the subdivision. Police Manual rule 53 has assigned the same duties to the Assistant or Deputy Superintendent in charge of a subdivision as have been assigned to Circle Inspectors. The Commission are of the view that this kind of duplication of supervision has not been very conducive to efficiency. On the other hand, a large number of mufassil subdivisions have no Subdivisional Police Officers and the standard of work in those charges is not in any way inferior. Moreover, there are no Subdivisional Police Officers, as such, in the districts of Bhagalpur, Saharsa and Patna and no complaint has been received by the Commission to indicate that the work of supervision in any way has suffered. The abolition of the post of Subdivisional Police Officer will be both economical and expedient and at the same time will fix completely the responsibility of supervision on the Chief Inspector.

220. Several witnesses are of the opinion that the quality of supervision afforded by the Superintendent of Police himself in a district has shown signs of deterioration. Some of them have said that he is a very much overworked and harassed officer and his routine duties sometimes get neglected. This may be true of the bigger districts but the Commission are not convinced that in the smaller districts the Superintendent of Police cannot find the time to make his supervision more effective. They have recommended already that the district police charges have also to be reduced and it is expected that no Superintendent of Police should have any complaint regarding overwork to such an extent that his normal duties are adversely interrupted. With the superior kind of assistance available to him, the circles being held by Chief Inspectors, the Superintendent of Police should get assured of effective initial supervision. As regards his own supervision he should get a properly constituted second officer in the Assistant or the Deputy Superintendent who will function at all times as his second in command. This only reiterates the recommendations of the Indian Police Commission of 1860 which created the post of Assistant District Superintendent and those of the Indian Police Commission of 1902 which re-enforced this rank by the creation of the post of Deputy Superintendents. They were all to act as second officers. Their authority became diffused because of the creation of the post of Subdivisional Police Officers who in many instances were senior to these officers. In the new scheme suggested by the Commission, the Assistant or Deputy Superintendent will effectively act as the Superintendent's second and enforce his authority during the absence of the Superintendent of Police who will thus be able to find more time to tour extensively in his district. The Commission attach considerable importance to this, for, their touring at present is unplanned and haphazard. The Commission, however, do

not propose to deny the Superintendent some superior assistance in the various branches of his work at headquarters and where its load justifies it, a Chief Inspector will be posted under the overall control of the Assistant or the Deputy Superintendent.

221. As regards the supervision of cases, the unanimity of view seems to be that the

Supervision of cases.

Circle Inspector's supervision at present is almost a formal affair. The supervision of the Subdivisional Police Officer is belated and is generally a duplication of the Inspector's supervision. The Superintendents of Police cannot always find the time to supervise all the special report cases as contemplated in Police Manual rule 49. It directs that the duties of Superintendents are not to be confined to office work, inspection and general supervision, but it is expected that they would take a share "in the actual investigation of important crime,.....in particular, they shall supervise the investigation of cases enumerated in Appendix 3, all cases presenting difficulty and all cases in which the conduct of the subordinate police is in any way unsatisfactory, going to the spot at all stages of the investigation, whenever possible, without undue detriment to touring, inspection or other important work". Several witnesses have said that the Superintendents of Police have not been following this rule with care. It has also been said that some of them supervise cases at roadside and at police-stations in order to avoid the inconvenience of a rough journey. This is an unsatisfactory feature and the Commission must condemn it. It is essential that the quality of the supervision of the Superintendent of Police should be of the required standard and it cannot be achieved unless the supervision of the case is done at the spot. The Commission hope that with the relief that is likely to be afforded to him, he should be able to find the time to supervise the investigation of cases more thoroughly. They, however, agree that since the incidence of heinous cases has risen sharply, he cannot possibly find the time to supervise all the cases that have been enumerated in Appendix 3 of the Police Manual but he should endeavour to supervise all cases of murder and dacoity and a few important cases of burglary as also such other cases which present any special difficulty. His second officer should share with him the responsibility of supervising the other cases mentioned in Appendix 3 of the Police Manual. The Chief Inspectors must supervise not only all the cases enumerated in Appendix 3 at the spot as promptly as possible but a fair number of other cases as well. They should guide the investigation from day-to-day by a second visit to the spot if necessary and by studying the case diaries always. It should also be his responsibility to ensure that all orders passed by either the Superintendent or the Assistant or Deputy Superintendent are properly obeyed and that exhibits that are to be sent for scientific examination are sent in time. All superior officers must ensure that nothing goes wrong with the investigation of a case, particularly of such cases which have been supervised by them. If anything does go wrong, they should be as much held responsible for the lapse as the investigating officer himself. The Commission have been informed that frequently superior officers do not study the case diaries as they are generally not received in time. Supervision can never be effective unless the case diaries are promptly received and examined without delay. It should be the duty of the supervising officer therefore, to ensure that the diaries are written from day-to-day and received in due time.

222. Chapter IV of the Police Manual contains rules regulating the inspections of posts by various police officers. The Inspector-General of

Inspection of police posts.

Police is expected to inspect every district once in two years. The Range Deputy Inspectors-General should tour for six months in the year and make a thorough inspection of the headquarters of all the districts in their ranges annually. It has been urged before the Commission and they agree with the view that because of the heavy commitments of the Inspector-General of Police at headquarters it may not be possible for him to inspect a district once in two years and it would be sufficient if he inspected it once in three years. He should, however, visit a district at least once in two years if he cannot visit it every year. They are, however, of the

considered view that it is desirable that rule 35(b) of the Police Manual be followed very closely by the Range Deputy Inspectors-General. Their inspections cannot be thorough unless considerable time is devoted to them. Piecemeal inspections, as are being done frequently, are deprecated by the Commission, for a thorough inspection of all the branches of the district police in one stretch will give the inspecting officer a much better idea of the district police administration as a whole. The inspections by Superintendents of Police have been reported to the Commission to be in some instances casual and Police Manual rules 39 and 44 should be properly enforced. No police-station can be efficiently inspected in a few hours.

The inadequacy of the work of supervision whether related to inspection of police posts or supervision of cases, according to several witnesses, is due to the inadequacy of staff. It was also suggested by many non-official witnesses and by some official witnesses that the work of supervision and control exercised by officers directly recruited is superior to those departmentally promoted from the ranks and it has also been said that the work in this respect deteriorated due to the vacuum that was created after transfer of power as a result of sudden retirement of superior officers. Inadequately trained officers held supervisory posts and were unable to guide their subordinates properly. The reorganisation suggested by the Commission in Chapter III should be helpful in making the work of supervision effective at every level and should also ensure that the supervisory officers have adequate training, the correct outlook and the necessary status to command respect and ready obedience.

223. The attention of the Commission was drawn to the rules in Chapter XIII of the Police Manual. This matter has been examined fully in Chapter XII of this Report dealing with the prosecution of cases. The responsibility of the Superintendent of

Police and his officers to make their investigations complete in all respects before charge-sheets are submitted and to brief the Public Prosecutors remains intact and undisturbed. He should, however, be no longer responsible for ensuring that cases are well conducted in courts, for, this responsibility will now devolve on the Public Prosecutors themselves who will no longer be police officers. The responsibility of the Superintendent of Police in respect of securing all the exhibits in time and getting the processes and summonses served should be well discharged through the Police Court Office which has been recommended to be constituted.

224. Substantial evidence has been laid before the Commission to indicate that the supervision of the Superintendent of Police over his office staff either in the Police Office or in the Reserve Office is inadequate and there is considerable room for improvement. The Commission expect that with the reorganised Police Office, the Superintendent's supervision over the work connected with the internal management of the force especially with the assistance of his second officer and where required by a third or a fourth officer of the rank of Chief Inspector should greatly improve. The Commission attach considerable importance to this aspect of the Superintendent's work as the morale of the whole force is greatly dependent on it. The Chief Inspectors in charge of circles and the officers-in-charge of police-stations also must realise fully their responsibility in regard to man-management and it should be their duty at all times to ensure the well-being and the efficiency of the force under their command.

225. Concluding, the Commission would like to stress that the efficiency of a force depends to a great measure on the manner in which a supervising officer discharges his responsibility and both by example and by precept he should ensure that there is no weakness in any of the links in the chain.

CHAPTER XVII

RECRUITMENT AND TRAINING

A. RECRUITMENT

226. It is vital for the well-being and efficiency of any force or service to select competent personnel and it is obvious that the best men should always be selected. As recruitment is the core of personnel process, the method of selection should be made as perfect as possible so as to ensure the proper functioning of the force, with the primary object of getting it adjusted to the needs of a welfare state. The demands on Government in ancient times were but few. Their main task was protection against foreign aggression and arbitration in domestic disputes. In the modern world, especially in a democratic country, this negative role of Government has to undergo a radical change making the task more positive. The State is no longer only a protector, law-giver and tax-gatherer. Whatever the ideology of a country, whether it is totalitarianism, parliamentary democracy or a Government based on balance of power and wedded to the concept of private enterprise, the public administration has now to take over progressively more and more functions. The activities have, therefore, enlarged as a result of this positive attitude which must have necessarily a great bearing on the work and conduct of the civil servant, more particularly of the police.

The method of recruitment in the police has to be evolved against this background, if it is considered that the present system has outlived its usefulness. The call on the police in a democracy would require that in the matter of recruitment, they should be impartially selected, administratively competent, politically neutral and are always imbued with the spirit of service to the community. Moreover, a police recruit has to be healthy, should possess the necessary energy, physical endurance and mental alertness if he is to be an asset to the force and not a liability. His personality has to be attractive and at the same time he must show fearlessness whether dealing with a recalcitrant or a criminal. He has, therefore, to be emotionally stable and professionally well equipped for police work which demands unquestioned character, unsullied reputation and above all undivided loyalty. In this context, the question relating to recruitment to various ranks assumes considerable importance and in no small measure would the country's progress and development be linked up with it. An efficient police force can greatly ensure a climate for progress otherwise no amount of economic development would be of avail, for, happiness does not merely come by wealth but it really comes by living in happy, contented and peaceful surroundings. While the present methods of recruitment in Bihar are no doubt based on the principle of competition secured either through competitive tests and selection boards or through examinations, written or oral, designed for testing merit, it is essential in the view of the Commission that not only should there be impartiality in selection but everyone must have complete confidence in the method employed.

The system of competitive examination conducted by the department for appointment of Sub-Inspectors was introduced in 1952. This was no doubt a step in the right direction. But the recruitment of constables continues to be done in the districts by Superintendents of Police on the basis of a rough and ready physical and written test. The basis, however, is essentially selection through interviews and is generally open to criticism. The Commission during their visit of the Constables' Training School noticed that the standard of recruitment varied from district to district and obviously, the mental make-up of the candidates for appointment as constables was not fully tested. In a non-democratic system of Government, where power is vested in a few and there is considerable room for patronage, the "spoils system" is likely to develop. In a democracy the theory or the ideal is that

an independent and impartial body like a Public Service Commission should be set up to ensure objectivity and impartiality and at the same time succeed in getting the best material. The Royal Commission (1924) on the Indian Civil Service said "it is essential to protect it so far as possible from the political or personal influences and to give it that position of stability and security which is vital to its successful working as the impartial and efficient instrument by which Government, of whatever political complexion, may give effect to their policies. In countries where this principle has been neglected, and where the 'spoils system' has taken its place, an inefficient and disorganised Civil Service has been the inevitable result and corruption has been rampant." With these observations the Commission fully agree and recommend that where the recruitment of over 32,000 personnel in the Bihar Police is concerned, it would be a great step forward if a Police Service Commission were constituted to ensure recruitment in a manner that would be readily acceptable both to Government and the people. For such a large force which has numerous specialised duties to perform, the Commission are firmly of the view that the present system of recruitment through selection boards should be abrogated and a properly constituted Police Service Commission established on the lines of the Railway Service Commission. The State Public Service Commission has such a great volume of work connected with the recruitment to the State services that it will have little or no time to devote to the recruitment of constables or other subordinate ranks. While the State Public Service Commission may continue to advise Government with regard to the recruitment in the Bihar Police Service, namely, of its Class I (Deputy Superintendents of Police) and Class II (Chief Inspectors) officers the recruitment to the rank of Inspector, Assistant Inspector and constable should be entrusted to the Police Service Commission.

The Chairman, Bihar Public Service Commission, in his evidence stated that the present system of recruitment for the superior police had certain drawbacks as it was combined with that of other services. His view was that physical tests should be undertaken first for the elimination of candidates who did not attain the necessary physical standards. The proposed Police Service Commission could assist the State Commission in conducting the physical tests. Some witnesses have suggested that the main formula for the police should be to "catch'em young". It has also been suggested that courses in Criminology, Police Administration and Forensic Science should be introduced in the University Syllabuses of study. In Delhi, Madras and Osmania, the subject has been accepted for introduction in the Diploma Course. The Sagar University has introduced this Course for the Degree Examination and is also planning a Post-Graduate Course. These subjects are studied in almost all the Universities of Europe and America. The Commission recommend that similar courses should be introduced in the Universities of Bihar and Government may consider making a request to the authorities of the Universities in this State.

It has also been the view of several witnesses, with whom the Commission generally agree, that such a large force should have a personnel wing for research with regard to recruitment. It is all the more necessary in a force to gauge the upsurges of the men in service and to research with regard to their qualifications and the methods of recruitment so that some data may be available to indicate their suitability in their official career. The Police Service Commission recommended to be set up on the lines of the Public Service Commission could, in addition to its duties of recruitment and selection, also undertake such a research through a serving police officer who should be attached to the Commission for this purpose.

227. Before the Commission advise regarding the method of recruitment in each rank and the standard of qualification for the various candidates, a little historical background to this important question may be of interest. The first Police Committee which engaged itself in this important task was the Beames Committee of 1891. This Committee recommended that appointment of Sub-Inspectors be made directly from the open market and

prescribed certain minimum educational qualifications and suggested that the period of probation of a candidate on recruitment should be 12 months and he should not be confirmed unless he passed a departmental examination. For constables, the Committee recommended that the recruits must be strong and healthy young men between the ages of 18 and 25, of the minimum height of 5 feet 5 inches and a chest measurement of 32 inches. Preference was given to those who were able to read and write the vernacular. This Committee recommended the abolition of the cadre of Writer-constables. Then came the Indian Police Commission of 1902-03 which recommended that constables should be recruited locally as far as possible and that recruitment should be confined to classes which were usually regarded as respectable and that care should be taken to ascertain that the candidates were of good character and antecedents. The Commission of 1902-03, however, considered it a mistake to fix too high a standard for either intelligence or physique of a constable and agreeing with the Beames Committee suggested that it would be enough if he were able to read and write. The Head-constables were to be found by promotion from the rank of constable and further agreeing with Beames Committee, they wanted the recruitment in the rank of Sub-Inspector to be confined entirely to direct appointment from the open market.

The above picture more or less continues till today except that vacancies now up to 50 per cent of the cadre of Sub-Inspectors are being filled by departmental promotion and the posts of literate constables have continued. The standard of education or even literacy in the general constabulary has been so low that it could not be entrusted with literate duties. But it appears an anachronism that constables under the Police Manual 'are not intended to perform duties requiring the exercise of much judgment and discretion'¹. The Commission are of the view that the constable in the beat performing patrol duties and in a police-station, assisting in the investigation or on the cross-roads directing traffic, has frequently to act on his own and the above rule should be deleted if the new class of constables that the Commission recommend to be recruited come to the expected standard.

Throughout the nineteenth century and even up to the stage when transfer of power took place in 1947 in this century, the officering, training and recruitment were based on the primary consideration of having a police force which would not only effectively ensure peace but help in garrisoning the country. In the earlier century the superior officers were drawn almost entirely from the army. The recruitment, equipment and uniform closely followed the army pattern and the training of the armed police was designed on army lines although the work of prevention of crime was freely entrusted to armed police who were also required to patrol in crime affected areas. There is no doubt that the retention of the armed police in such a large country with various upsurges is necessary but in the view of the Commission the emphasis from the armed character of the force has necessarily to shift to its more rational unarmed duties connected with the investigation and prevention of crime. While Peel gave England a police force which consisted of unarmed civilians in uniform, in India the police force was greatly militarised.

Indians of education and culture were not recruited in the police till 1906 when a new cadre of Deputy Superintendents of Police in the Provincial Service was created. Previously the police, as a career, hardly attracted the educated Indians but the experiment of their recruitment as Deputy Superintendents of Police succeeded so well that there was a growing desire to recruit more and more of them in the superior police. Moreover, the pressure of public opinion also prompted the British Government to throw open for the first time in 1920 the Indian (Imperial) Police to Indians. The Lee Commission of 1924 recommended that 50 per cent of posts in the Indian Police should continue to be filled in the United Kingdom and the other 50 per cent was to be reserved for Indians. Of the 50 per cent, 30 per cent were to be recruited directly through competition conducted simultaneously in

1. Rule 89 of the Police Manual.

India and 20 per cent of the posts were to be filled by promotion from the rank of Deputy Superintendent of Police. This percentage has since been raised by the Government of India to 25. The scheme of recruitment remained unchanged till the transfer of power and since then recruitment on a racial basis has no longer been a problem. Recruitment to the Indian Police Service is as a result of a combined competitive examination conducted by the Union Public Service Commission and it ensures as far as possible recruitment based on career open to talent. As time progresses and the conditions of service in the Indian Police Service are improved, the Commission hope that the class of recruits coming into the superior All-India Police Service would justify their selection. The gap that existed previously between the European members of both the Indian Civil Service and the Indian (Imperial) Police has now been greatly narrowed down and the class of candidates for both the superior Administrative Service and Police Service is the same.

228. Considerable emphasis has been laid by a very large number of witnesses on the soundness of the method of direct recruitment in the various ranks and the Commission are fully in agreement with the overwhelming view expressed by many that the best method of direct recruitment is through a competitive test conducted by a competent and experienced body which should not only act impartially, fearlessly and honestly but command the confidence of the people. In order to standardise the method of recruitment and ensure that the best candidates available are appointed, a scheme of centralisation has to be accepted. The recruitment of Sub-Inspectors is now wholly centralised in the sense that they are recruited through open competition and recruitment is not as in the past on a regional basis. The department conducts these examinations and it is the view of the Commission that the department has neither the time nor the proper agency as a Service Commission would have to undertake this kind of work. The Police Service Commission recommended by the Commission will now undertake the recruitment to such a large force. If, after it is set up, it can find the time to recruit for some of the allied subordinate services like those of the Jail and the Excise Departments, the Commission would readily recommend such a system. The training, both of the Excise and the Jail Department personnel, is generally imparted in police establishments and the recruitment of the personnel could well be undertaken by a common agency.

229. Having dealt with the general principles of recruitment the Commission would now proceed to deal with the system of recruitment of each rank and the qualifications of the respective candidates.

The appointing authority of a constable at present is the Superintendent of Police of a district and of a sepoy, the Commandant of a battalion.

Constable. The Commission have already recommended that the recruitment and training of constables meant for the armed police and those for the unarmed branch should be separated. While the appointing authorities may continue to be the same as at present, the Commission recommend that in order to standardise the recruitment, a member of the proposed Police Service Commission will advise the Superintendents of Police for the recruitment of unarmed constables and the Commandants for the recruitment of the sepoys meant for the Special Armed Police and the District Armed Police at a centrally selected place where all the candidates of the range could be tested. The physical standards and the qualifications of the candidates for appointment in the two wings should be prescribed in the manner indicated below :—

ARMED WING

Physical standard—

Age—18—21 years.

Height—5' 8", preference should be given to those who are 6' in height.

Chest—32".

Educational qualification—A candidate must be able to read and write Hindi with facility.

(NOTE.—A candidate for appointment as a constable in the armed wing must undergo a stiff physical test in order that he may be capable of bearing arms throughout his career, as in the army. The physical standards in the case of Adivasis and Gurkhas may be relaxed in accordance with the existing rules.)

UNARMED WING

Physical standard—

Age—18—21 years.

Height—5' 6", preference should be given to those who are 5' 8" or even taller. Generally, constables meant for traffic duties should not be less than 5' 8" in height. In case of Adivasis and Gurkhas, these conditions may be relaxed as provided for in the existing rules.

Chest—32".

Educational qualification—Middle School passed but preference should be given to those who have passed the Matriculation or an equivalent examination.

The next higher rank to a sepoy and a constable will be that of a Havildar and a Head-constable respectively. No direct recruitment

is recommended in this rank and all the posts will be filled by promotion. For the armed wing, the present rules will be followed and no sepoy will be eligible for promotion unless he has passed the Section Leader's Course at the Armed Police Training Centre. Similarly, no constable will be promoted to the rank of Head-constable without having passed a written test and an advanced course at the Constables' Training School. The promotion will be finalised by the Superintendent of Police or the Commandant, as the case may be, on the recommendation of a Board consisting of himself, his second-in-command and another senior officer.

The rank of Assistant Sub-Inspector has been recommended to be abolished.

Assistant Sub-Inspector.

The rank of Sub-Inspector will also be abolished.

Sub-Inspector.

The Commission have recommended the creation of a new cadre of Assistant Inspectors, which will form the backbone of the police investigating staff. The cadre will be filled by direct

recruitment to the extent of 80 per cent of its strength from the open market through a competitive examination to be conducted by the proposed Police Service Commission. The minimum educational qualification will be that of an under-graduate of a University having read in a recognised college for at least one year and passed the 1st year examination of the three year degree course. The physical standards will be the same as prescribed at present for Sub-Inspectors. The scheme of recruitment recommended would include a physical test at every range headquarters, to be conducted by a member of the proposed Police Service Commission and assisted by the Range Deputy Inspector-General. The physical test will be followed by a written examination also, to be conducted by the Police Service Commission and the papers included for the test will be :—

Paper I—Hindi and English Composition—100.

Paper II—Essay writing in Hindi and English—100.

Paper III—Indian History, Geography and General Knowledge—200.

Those who secure the minimum of 45 per cent of the marks in each of these papers should be deemed to have qualified for appearing before the Police Service Commission for a *viva voce* test of 100 marks which should include a personality test. No candidate will be considered eligible for appointment unless he has secured 40 per cent of the marks allotted to the *viva voce* test. The Police Service Commission will then forward the names of qualified candidates to the office of the Inspector-General of Police and the appointment to this rank will actually be made by a Deputy Inspector-General as is done at present in the case of Sub-Inspectors.

As recommended by the Indian Police Commission of 1902-03 and also urged by many witnesses, the Commission desire that recruitment to this basic rank of investigators should be protected in the sense that unless a person is fully trained as investigator, he should not hold this rank. Head-constables of exceptional ability may, however, hope to get promoted to this rank but in no case should the number of promoted Head-constables in the cadre exceed 20 per cent of its total strength. The departmental promotion will not be on the basis of reservation and only those who are assessed to be of exceptional ability should be promoted but this scheme will not be brought into full effect till such time as all suitable Assistant Sub-Inspectors and Writer-constables are not absorbed in this rank or get totally rejected for such an advancement.

This rank is to be in two grades. The first grade is to consist of Inspectors on a higher scale of pay meant to take charge of all town police-stations and some of the heavier rural police-stations. The Inspectors on the junior scale will generally take charge of the rural police-stations. The cadre of Inspectors on the higher scale will be filled entirely by promotion of suitable Inspectors of the junior scale. 50 per cent of the cadre of Inspectors on the junior scale will be filled by departmental promotion of Assistant Inspectors and the other 50 per cent by direct recruitment from the open market through a competitive examination to be conducted by the proposed Police Service Commission.

The minimum physical standard for the Inspectors on the junior scale should be the same as prescribed for Assistant Inspectors but the minimum educational qualification should be that of a graduate of a recognised University.

The appointing authority of Inspectors of Police will be a Deputy Inspector-General but will make the appointment on the advice of the Police Service Commission which will conduct the competitive examination of direct recruits and also scrutinise the nominations of Superintendents of Police and Range Deputy Inspectors-General in respect of departmental promotions.

The Commission attach considerable importance to this new cadre of gazetted officers who will generally be placed in charge of police circles. They will constitute Class II of the State Police Service. 75 per cent of the posts, however, will be filled by promotion of suitable Inspectors on the senior scale. The rank of Chief Inspector will be well protected since recruitment to the rank of Assistant Inspector is almost entirely by direct appointment and in the rank of Inspector next below it, 50 per cent of the vacancies will also be filled from the open market by suitable graduates. In order to draw in fresh blood, the Commission recommend that 25 per cent of the posts of the cadre of Chief Inspectors should also be filled by direct recruitment through a competitive examination to be conducted by the State Public Service Commission. The Police Service Commission will assist the former in conducting the physical test and the papers offered for the competitive examination should be the same as for the combined competitive examination for the State Administrative Service (Junior Branch). The appointment will be made by Government on the advice of the State Public Service Commission. If the Inspectors of Police

of the proposed cadre prove to be officers of integrity and ability, the Commission would recommend that in due course all the posts in the rank of Chief Inspector be filled by promotion and direct recruitment should be stopped.

The Commission have expressed the view that this rank, in order to fulfil its purpose, must not be unnecessarily large as at present and have recommended that the strength should not exceed 52. Deputy Superintendent. 50 per cent of the posts in this rank should continue to be filled by direct recruitment and the other 50 per cent by promotion of Chief Inspectors on the advice of the State Public Service Commission—the Police Service Commission assisting in conducting the physical tests of direct recruits.

B. TRAINING

230. Modern conditions render it increasingly necessary that a police officer should be a well-constructed man. Gone are the days when a person in authority enforced his will on the people at the point of the bayonet. A police officer has to be a man of initiative and resourcefulness and he has to execute his duties with tact, patience and firmness. In order to succeed in his duties he must know them well and he has also to be physically strong to be able to withstand long hours of work and outwit the modern criminal. All in all a good policeman must have certain qualifications and in order to ensure that he possesses them it is essential that on recruitment, he is properly trained to enable him to execute his difficult and onerous task with efficiency and speed. The period of training is crucial in many ways, for, it is during this period that he is not only trained professionally but made to develop a high sense of duty and discipline and to understand the value of *esprit de corps*.

The Indian Police Commission, 1902-03 discovered that the training of police personnel was, as a rule, defective. In the rank of constables no reserve was provided for training and, therefore, recruits were called upon to perform police duties and sometimes without their training having been completed. Training was haphazardly imparted in every district but it was on the recommendation of that Commission that a Central Training School was established and a curriculum drawn up which included in a large measure, training in infantry drill and physical exercises.

Weighty and well informed evidence before the Commission is indicative of the poor quality of training that is being imparted to police recruits and cadets. Several witnesses have ascribed the general inefficiency in the force to defective training. Not only is the period of training too short but the syllabuses are not properly designed and the instructors not carefully selected. The Commission took the earliest opportunity of visiting the Constables' Training School at Nathnagar where constables and Havildars are trained and the Police Training College at Hazaribagh where the officers receive training. The Commission's visit to these training institutions only confirm the evidence available before the Commission and they concur in the views that the system of training leaves much to be desired. The reasons for it, however, might have been beyond the control of the department itself and the Commission have suggested certain measures in this chapter to improve the standard of training. Training can be classified as follows :—

- (i) Basic training;
- (ii) In-service training for advanced knowledge at a certain stage or service; and
- (iii) Courses of training in speciality.

These three forms of training in the view of the Commission are essential for ensuring efficiency in any force. The Commission propose to deal with each of these forms of training separately. Most of the witnesses including the Chairman of the Public Service Commission are also of the view that these three types of training should be adequately

imparted and instructors of proved ability employed. The Commission have also been informed by several witnesses that the post of an instructor does not attract the suitable type for several reasons, and are firmly of the view that the instructors must be of a high calibre if the standard of training has to improve.

231. The Commission attach considerable importance to making basic training both broad-based and intensive. A constable at present is trained initially at the Constables' Training School, Nathnagar, for six months while officers of the rank of Assistant Sub-Inspector and above are trained for 6—12 months at the Police Training College at Hazaribagh. The period of six months in the Constables' Training School is too short for the constables to learn their drill and police duties. The Commission recommend that the period of basic training should include three months of practical training in a district followed by another three months of theoretical training at the school so that the total period of basic training will be for one year. The Commission also desire that the training of unarmed constables, separate from that of the armed constables, should show a distinct bias in favour of subjects like law and police duties, including preliminary investigation and the training should be so designed as to develop in the recruits initiative, courage, resourcefulness and their powers of observation. The cadre of physical training should also be drawn up carefully and should include swimming. The basic training of armed constables on the other hand should be designed on the pattern adopted for the Infantry both in drill and weapon training and training in police duties so that attention to both body and mind is not neglected. Physical training will improve the carriage of the recruit and teach him sense of discipline and the advantage of concerted action. A policeman has to have a good knowledge of his duties under the law, some knowledge of history and geography and a working knowledge of the police administration generally. The syllabus should be so broad-based as to include these subjects. The constable should also be given the opportunity to improve his education and courses arranged, as in the army, for taking certain written examinations, both in the armed and the unarmed wings.

As for basic training of officers at the Police Training College, the Commission would suggest a revision of the syllabus which should include subjects like public relations, man-management and ethics. They also recommend that training pamphlets as in the army on these and other subjects should be written, if possible, by experienced police officers, to be included in the syllabus. The Commission are of the view that 12 months is too short a period for basic training of investigators and recommend that the period should be extended to 15 months. Not only should theoretical but some practical training be imparted at the college itself. The time-table for training should be drawn up in such a way that the term starts with theoretical training from January to May. The mid-term vacation of June and July should be utilised for a preliminary course of practical training in a district. August to November should again be devoted to theoretical training, followed by a course of practical training in a police-station from December to February. The final examination should be held in March. When an officer passes the final examination, he should be posted to a district for a 12 months' practical training in a police-station, police court office and a circle office. This kind of training is suggested mainly because a long course of theoretical training tends to become monotonous and a combination of both practical and theoretical training would not only be conducive to better training but will also make the course more interesting. Some witnesses have suggested that it is not necessary to include riding or drill as part of the curriculum for training of officers as they seldom ride when they come out of the training establishment and their knowledge of drill is of little help. The Commission do not agree with these views. Riding not only smartens an officer and makes him physically fit but gives him considerable mental alertness and develops in him personality and qualities of leadership and the art of man-management. Drill teaches him discipline but it is unnecessary to teach the investigators much of arms drill. They should

know what a rifle is and how it should be handled and should be given an intensive course in musketry. It is however unnecessary to train them in company or battalion drill with arms. In England, a policeman is taught only squad drill without arms but a more exacting course would be required in India. In order to widen the outlook of the cadets and make their knowledge more broad-based, the Commission recommend that a system of inviting external experts to deliver lectures on subjects like administration, law, ethics, man-management, forensic medicine including medico-legal work should be introduced in the Police Training College. For lectures in law, it may be of advantage to arrange lectures by suitable lawyers with extensive criminal practice once or twice a month.

232. There is a great deal of unanimity of view that there should be a refresher course designed for purposes of in-service training to be imparted to an officer of and above the rank of Assistant Inspector with 4-5 years of service. The Advanced Training

School which is attached to the Criminal Investigation Department is improperly housed and haphazardly staffed. The period of training is only for three months. The Commission recommend that it should be extended to six months and the institution be given a proper status as a well-organised unit of training. External lecturers are at present employed in this institution and there is only one serving officer who is in charge of it. While the system of inviting external lecturers who are specialists in their own subjects should continue, the Advanced Training School, in the view of the Commission, should be located at Hazaribagh. There is at present no arrangement for in-service training for constables. Such training should be imparted at every district headquarters and a proper instructional staff sanctioned for it. An advanced course for constables and Head-constables aspiring for promotion should also be designed at the Constables' Training School. The Commission examined the question whether the result of examination after a course of in-service training should be linked up with the prospect of promotion of an officer. The Commission are of the view that no Assistant Inspector or Inspector should be promoted to the next higher rank unless he has duly passed the in-service training course. Similarly, a constable, unless he has passed the advanced course, should not be promoted to the next higher rank of Head-constable.

233. The Commission consider that arrangements should be made to encourage officers to undergo training for specialisation. For example, those who are posted to the Criminal Investigation Department should be selected for a course of training

at the Forensic Science Laboratory which is to be established in Patna. The courses for specialists in wireless and motor transport should also be organised at Patna where there should be facility for imparting the necessary instructions. Those who are selected for the traffic branch should be sent to the Traffic School. Care must, however, be taken that only those who give ample evidence of their aptitude and suitability for undergoing such courses are selected for them.

234. The Commission are also of the view that the Police Training College, the Constables' Training School, the Advanced Training School and Traffic School should all be located at Hazaribagh. There is already a proposal to build a

proper Police Training College at Hazaribagh. Plans and estimates have been submitted to Government. The Commission recommend that these plans and estimates should be revised so that there is no difficulty in moving the Constables' Training School from Nathnagar to Hazaribagh. The accommodation required for the Constables' Training School will be now much less since the training of the District Armed Police personnel is to be undertaken at the Training Centre of the Special Armed Police to be located at Dehri.

If these four institutions are combined, it will make for considerable economy on account of establishment and recurring cost and will also ensure that the cadre of instructors

is fully utilised for all these institutions. Arrangements for external lecturers who are specialists in their own lines could be more easily and economically arranged and the classes in some cases could well be combined.

It will be expedient to place these institutions under one head and as the matter is of considerable importance, the Commission are of the view that he should be a specially selected officer of the rank of Deputy Inspector-General with considerable experience of police work. If a retired senior officer is willing to accept the assignment, the Commission advise that Government should have no hesitation in appointing him as the Commandant of the Police Training Institutions. He should be assisted by an officer of the rank of Superintendent of Police and three Assistant or Deputy Superintendents, each to take immediate charge of the Police Training College, the Constables' Training School and the Advanced Training School. The number of instructors should be based on the lectures that have to be delivered in each class and the yardstick should be the same as adopted in educational institutions. No instructor should be of a rank below that of an Assistant Inspector of Police but those who are to teach the officers in the Training College should not be below the rank of an Inspector of Police. Several witnesses have suggested that there should be a separate cadre of instructors composed of people who may be even drawn from outside the force. The Commission do not agree with this view and consider that instructors in police training institutions should be drawn from the force as they have the advantage of organised experience and appropriate knowledge which an outsider can never hope to have and which it is essential for the police instructors to possess. What is desired is that every instructor who is sent to the training institutions should be specially selected and to make the appointment attractive, the Commission recommend some special pay for him. It was also said by many witnesses that the instructors have poor prospects of promotion as they are held to be away from regular police duties for long periods. The Commission desire that this attitude, if it exists, should be removed and instructors should have equal chances of promotion with others if they prove their worth in this specialised line.



CHAPTER XVIII

CONDITIONS OF SERVICE

A. PAY

235. In the preceding chapters of this Report, the Commission have recommended the various steps that have to be taken to improve the quality of work and the standard of conduct of policemen of all ranks. The Commission are, however, convinced that the factor which is most vital in any contemplated scheme of reorganisation, would be the all important question of pay structure, for, nothing affects the morale or efficiency of a force or a body of men more than their emoluments. It was the anxiety of the British Government to afford adequate pay scales to the police and with that view several commissions and committees were set up by them to examine, from time to time, the pay structure of the police force. While conceding that the police admittedly suffered from many disabilities which no other State Service did, the pay structure in the police was, however, linked up with the emoluments allowed to the other branches of the State Service.

As far back as 1835 Hon'ble Sir John Shore while commenting on the pay structure of the police, observed that no police officer could live on his pay and his expenses over horses alone which he was required to maintain could exceed his salary. He was convinced that—

“The requisites for the improvement of our Indian Police are, first, respectable salaries for those employed;.....Better pay which will gradually introduce into the establishment a more respectable class of men.....our Police in India have been productive on the whole of far more evil than benefit to the people. The reason is simply this, that, in England the police officers are well paid.....the small payment of the police officers which prevents any respectable person in accepting them and, those who do so, intend to make most of their appointment.”¹

This would show that the subordinate police in India were paid so low as almost to justify corruption. He recommended that a Daroga should receive a salary of Rs. 100 per month. It is a matter for some thought that even after one whole century and a quarter the starting pay of the Daroga today is about the same as was recommended then. The Indian Police Commission of 1860 recommended that the pay of the Sub-Inspector of Police should be on such a liberal scale as would “attract the services of men of respectability and education”. Beames Police Committee of Bengal, 1891, reviewed the pay structure and was firmly of the opinion that the pay of the constable was too low in relation to the onerous duties that he was required to perform. The Indian Police Commission of 1902-03 also examined the pay structure of the force and made suitable recommendations for raising the emoluments of the various ranks. The Royal Police Commission recently set up in England have recommended as an interim measure a substantial rise in the pay of the police and commenting upon it they have said : “Pay rise for the police even at the cost of adding a penny or two to the local rates is so strong that nothing should be allowed to stand in its way, for far too long has the police force been underpaid, undermanned and overworked. Crimes of violence have doubled over the past 10 years while the strength of the police force has steadily declined. (This may be due to the rise in population and rising rate of vacancy.)” They further observed : “The maintenance of law and order

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rank with national defence a primary task of the Government. It is an essential condition of a Nation's survival and happiness." Such strong views have been expressed advocating that the pay structure of the police force should be in consonance with the sublime duty that devolves on them.

236. There is a large unanimity in the view expressed before the Commission about the desirability of raising the pay scales of the subordinate police. They have been considered to be wholly inadequate. In spite of several efforts that have been made from time to time to raise the pay, the scales have never been fixed which could be called commensurate with the obligation so peculiar to their calling. By the reason of the nature of their employment, the special disabilities that they suffer from and the risk of their office, the witnesses have urged that the consideration of a policeman's pay structure should be based differently from that which should weigh in determining the pay of the other services in the State. A policeman is liable to be called to duty at any time and anywhere. His duty is harassing, unpleasant and irksome. He hardly knows a Sunday or a holiday and the periods of festivals or festivities are generally periods of stresses and strains for him. By the reason of his employment, he should have the facility of taking good and sustaining food which he cannot afford to do. The expense over housekeeping is increased not only by the irregularity of hours at which he has to take his meals but also due to the fact that generally a constable or a Head-constable has to maintain two establishments.

237. While making their recommendations for improving the pay structure, the Commission have considered these various points. They are clearly of the view that the members of the police force should be reasonably free from financial worry and must always be contented having regard to the extent of their responsibilities. The Commission recommend that the pay scales of each rank of the police should be revised in their favour. They have made an evaluation of the wages and hours of work in various occupations and are satisfied that the increased remuneration that is recommended is easily compatible both on the ground, that have already been urged and the lesson that history teaches. The Indian Police Commission of 1902-03 while recommending the pay structure had suggested that every officer including a constable should be given a living wage. Agreeing with this view the Commission are of the opinion that any pay below Rs. 60—70 a month would not be considered to be a living wage for a policeman. Certain principles have been enunciated recently by the Central Pay Commission, 1957—59. In recommending the revised scales of pay for different classes of Government servants, they have suggested that dearness allowance should constitute a separate element for employees whose salaries are Rs. 300 or below per month and should be drawn @ Rs. 10 for those whose salaries are below Rs. 150 and at Rs. 20 for those whose salary ranges between Rs. 150 and Rs. 300 with marginal adjustments up to Rs. 320. Accepting the recommendations of the Central Pay Commission with certain modifications, the Government of India have created the lowest scale of Rs. 70—1—85 for those who are drawing a basic pay of Rs. 30 and a dearness allowance of Rs. 45. To the scale that has been accepted, a dearness allowance of Rs. 10 has been added. The State of Madras has also revised the pay scales of their officers and men and has created a scale of Rs. 65—1—70—2—90 plus the cost of living allowance at Rs. 10 per month for their constables against their old scale of Rs. 30— $\frac{1}{2}$ —40 and a cost of living allowance of approximately Rs. 34 per month. In West Bengal, Kerala and the Punjab, the starting pay of a constable is Rs. 45 and it ends at Rs. 60, Rs. 55 and Rs. 80, respectively, exclusive of the dearness allowance.

238. The Commission have devoted considerable time to fixing the pay scale of the Head-constable and the constable and the scales that have been suggested appear to be most reasonable although the Commission fully realise the financial impact of such a suggestion on the resources of the State.

A statement is furnished below to indicate the present pay scales of each of the ranks of the State Police. The pay scales have been shown without the cost of living allowance

that is admissible as the rates vary from scale to scale. This allowance has been shown separately in Appendix VII. With the proposed pay scales is also shown the dearness allowance as admissible to Central Government servants. The Commission have favoured the merging of the existing cost of living allowance with only slight modification in proposing the new scales and recommend that the cost of living allowance at the Central Government rates need only be sanctioned. The Central Pay Commission's recommendation that such an allowance @ Rs. 10 for officers drawing pay below Rs. 150 and Rs. 20 for those entitled to a pay of Rs. 150 to Rs. 300 with marginal adjustment up to Rs. 320 has been accepted both by the Central Government and the State of Madras. The Commission favour this pattern of the pay structure and commend it to the Government of Bihar. The Commission have taken care to fix the pay of the Head-constable and the constable a little more liberally than the pay recommended for the higher ranks :—

R .	Present pay scales (Cost of living allowance shown in Appendix VII).	Proposed pay scales and the modified cost of living allowance.
1. Deputy Superintendent of Police.	Rs. 220—25—320—E.B.—25—670—E.B.—20—750 (plus dearness allowance as shown in the Appendix).	Rs. 280—25—405—E. B.—30—675—E. B.—25—900 (plus Rs. 20 as dearness allowance up to Rs. 300).
2. Chief Inspector	New rank	Rs. 230—20—350—E. B.—20—450—25—600 (plus Rs. 20 as dearness allowance up to Rs. 300).
3. Inspector (Senior scale)	Rs. 175—12—235—E.B.—15—400 (plus dearness allowance as shown in Appendix).	Rs. 225—15—300—E. B.—15—480 (plus Rs. 20 as dearness allowance up to Rs. 300).
4. Inspector (Junior scale)	New rank	Rs. 180—7—208—E.B.—8—280 (plus Rs. 10 or Rs. 20 as dearness allowance).
5. Assistant Inspector	New rank	Rs. 140—5—170—E.B.—7—240 (plus Rs. 10 or Rs. 20 as dearness allowance).
6. Head-constable	New rank	Rs. 95—2—105—E. B.—3—135 (plus Rs. 10 as dearness allowance).
7. Constable	Rs. 30—1—45 (plus dearness allowance as shown in Appendix).	Rs. 65—1—75—2—95—3—110 (plus Rs. 10 as dearness allowance).

The above scale for constables ensures an average pay of Rs. 97.50 N.P. and if the allowances are added to it, the emoluments come to a little over Rs. 100 per month. This is in consonance with the views of a vast majority of the witnesses, both official and non-official, that the pay of the constables should be in the neighbourhood of the figure quoted above.

239. The Subedars, Jemadars, Havildars and sepoys of the Special Armed Police and the District Armed Police and the corresponding ranks of the Mounted Armed Police will

draw pay in the scales that have been recommended for Inspectors (senior scale), Assistant Inspectors, Head-constables and constables. The scales of pay for the personnel of the Police Wireless, the newly constituted Prosecution Branch and the State Fire Service have already been indicated in the relevant chapters of the Report. The scales of pay recommended for experts of the technical sections of the Criminal Investigation Department, the workshop staff of the Police Transport and other non-police personnel are given in Appendix VII.

240. The Commission have not recommended any change in the existing scales of pay of the ministerial officers on account of the fact that they should not be treated any differently from their colleagues in other departments of Government. The Commission hope that their demand for increased emoluments will receive due consideration by the Pay Commission which the State Government perhaps propose to set up for their non-gazetted employees.

241. Before the Commission take up the next item connected with emoluments of the police personnel, they reproduce below the observations of their colleague, Shri Basawan Sinha, M.L.A. who has advocated still higher scales of pay for constables and Head-constables than those recommended by the Commission. He has addressed a letter to the Commission in the following terms :—

“I do not find myself in a position to agree with the new scales of pay (inclusive of the dearness allowance) for the constables and Head-constables and all other corresponding ranks, like the Special Armed Police, the District Armed Police, the Mounted Police, etc., in the Bihar Police Service, proposed by the majority of the Police Commission. In spite of best wishes, on the contrary, I feel myself, very reluctantly, called upon to place on record my studied view in this respect. I am strongly of the opinion that nobody in the Police Service must get as his monthly salary anything less than Rs. 100. I suggest therefore that the scales of pay for constables and Head-constables and all other corresponding ranks in the Police Service should be—

Constables—Rs. 100—1—110—2—140.

Head-constables—Rs. 115—2—125—3—155.

In support of the plea for an increase in the pay of the subordinate police, I would like to invite attention to a comment made by Hon'ble Sir John Shore, as far back as 1835, while speaking on the pay structure of the Indian Police. He very aptly comments, “the requisite for improvement in the Indian Police was first and foremost: respectable salaries”. He further said, “the subordinate police in India were paid so low as almost to justify corruption”. The description that Mr. Shore gave so long ago is unfortunately too true even today of the conditions of the subordinate police in India. Ever since our country became free, and, more particularly, since it has launched upon a planned economy and the adoption of socialism as its cherished goal, much thought has been bestowed on the concepts of a living wage, a fair wage, etc. The 16th Tripartite Labour Conference has held that the living wage of an unskilled worker should be Rs. 156 per month: I need not go into all the factors that are taken into consideration for scientifically determining a living wage. In the past two-three years, several Wage Boards and All-India Industrial Tribunals have come out with their recommendations fixing up minimum wages for unskilled workers which are in the vicinity of Rs. 100 per month. These are not living wages but fair wages, a compromise of the principle of living wage, keeping in view the special position of the economy of our country to-day. Anything less than this, in the opinion of these bodies of experts and specialists, will be extremely unfair. Having strict regard to the extent of the responsibilities, the arduous nature of duties and the risk of office of the subordinate policeman, I do not feel that a pay scale for him lower than that of a coolie or a sweeper in the vicinity would be just or fair. Having also in view the fast changing

nature of our economy wherein innumerable townships are growing and the tasks of policing such a society, any pay scale lower than that I have proposed would be out of tune with the time. I also feel that the slight burden that my proposal is likely to throw upon the Exchequer of the State will not be a waste of money. The colossal reconstruction that our economy is going through and the vast resources that are being mobilised to promote reconstruction of our national economy will be anachronistic in a society that runs riot in the absence of a proper social order. It would not do for us not to take note of the rapid changes that are taking place in the social order of India to-day and crimes and criminal propensities consequent upon such changes. A half famished, disgruntled or cynical policeman should not be expected squarely to cope with the onerous tasks that lie ahead of him.

My proposals involve roughly an additional annual expenditure of Rs. 154 lacs. Our Exchequer should not justifiably grudge bearing this expenditure. The ratio of total expenditure on the police to the total budget of the State has radically dropped in past years. While in the year 1946-47 this expenditure was 15.2 per cent of the total State Budget, it was a mere 5.6 per cent in 1958-59. This state of affairs compares very unfavourably with other States in India. While India plans and aspires in a few years to jump over the barrier of backwardness to an economy of prosperity and progress, policing of Indian society cannot be conceived of in terms of the colonial economy of the 19th Century. It is needless for me here to add that the sense of social justice is tending to inform our national life in all its aspects and in all walks of life. If socialism, our national dream is ever to take a concrete shape, opportunities and comforts of a decent living must be within easy reach of all. While I say this I do not propose at the moment to suggest that the higher levels in the Police Service must be hauled down. What I emphasise is a small plea to level up all such in the Police Service who had had nothing but a sub-human level of existence as their veritable lot so far. In view of all that I have said above, I strongly and sincerely believe that nothing below the scales I have suggested will be just and opportune."



BASAWAN SINHA,
Member,
Police Commission, Bihar.
21-5-1961.

The Commission have given Sri Basawan Sinha's recommendation their most anxious consideration and indeed to the recommendations of some of their other colleagues who have also advocated higher scales. The Commission would have been glad to recommend a much higher scale but because of the present resources of the State which have to be kept in view by them, as also because of the very terms of reference and the fact that the State has to bear the financial strains of a developing economy, they have regretfully to content themselves to the recommendations regarding the pay structure that have been shown in the statement above. They, however, feel assured that as and when the finances of the State improve, the Government would certainly be pleased to give due considerations to the proposal for even higher scales than those that have been recommended here. As it is, the pay scales recommended by the Commission would result in considerable increase in the police budget but this could not be avoided as both the Central Government and the Government of Madras have already raised the pay scales of their employees and the case for increase is irresistible in Bihar. The expansion that has been proposed and the rise in salaries that has been suggested would increase the expenditure on account of pay and strength of the proposed police force by Rs. 178 lakhs. The increase on account of the increase of pay and the strength of the constabulary will be approximately Rs. 139 lakhs out of the total of Rs. 178 lakhs, i.e., 78 per cent of the proposed increase. Any higher rate of increase will not be quite appropriate

at the present juncture. The impact of the recommendation for such a rise in the pay of the constabulary will not be so great as indicated above in the first year of the implementation when the expenditure will increase by approximately Rs. 25 lakhs.

242. It has been suggested by several witnesses that foodgrains and other essential articles on a subsidised basis should be made available to the lower ranks. Since the force is generally dispersed widely in the State, the Commission consider that such an arrangement is both unpractical and inexpedient. The increase in the pay structure that has been recommended, the Commission hope should reduce the rigours of obtaining food materials but the department may consider from time to time the propriety of supplying dry rations during an emergency when a force has to be moved out at short notice to a distant destination.

243. The Commission have also examined the question of special pay that is sanctioned for the various ranks as contained in Appendix 44 of Volume III of the Police Manual. They have not been able to follow the reason why separate scales of special pay have been sanctioned for the Superintendents of Police working either in the Police Secretariat or in the Criminal Investigation Department when the nature of work is identical. In the main Secretariat the rate of special pay that is sanctioned for Secretaries, Joint Secretaries, Deputy Secretaries and Under Secretaries to Government is standardised, irrespective of the department that they have to serve. This invidious distinction is not understandable to the Commission and they recommend that the special pay allowed to all the Assistants to the Inspector-General of Police or the Superintendents in the Criminal Investigation Department should be Rs. 200 per mensem as allowed to Joint Secretaries to Government instead of the present rates of Rs. 100, Rs. 150 and Rs. 200. The cadre of the Indian Police Service has become stabilised and it is presumed that officers of at least 8 to 10 years' seniority as in the case of Joint Secretaries will be drafted into the Secretariat. The Commandants of the Bihar Military Police battalions drew special pay till recently. The rules governing pay and special pay of officers of the Indian Police Service provide for special pay to these officers. The Commission consider a special pay of Rs. 150 per month to be reasonable. A special pay of Rs. 250 per mensem has been recommended for the Commissioner of Police, Patna, on account of his special responsibilities and arduous work. In Appendix VIII, scales of special pay on the basis of Appendix 44 of Volume III of the Police Manual have been recommended. Views have been expressed before the Commission that the posting of officers to the Criminal Investigation Department, the State Intelligence Department, the Police Training College and the railway police is important for several reasons and selected officers should be posted to such assignments. The Commission have considered this suggestion carefully and recommend suitable scales of special pay for all ranks posted to the Criminal Investigation Department, the State Intelligence Department, the training institutions and the railway police.

B. ALLOWANCES

244. Travelling, halting and conveyance allowances are intended to cover the actual expenses incurred on tours and should never be a source of income. Travelling allowance should cover the journey expenses, halting allowance should meet the expenses incurred on food and for stay while in camp and conveyance allowance is meant to cover the expenses incurred in maintaining a conveyance required for official tours for which no travelling allowance is generally earned. The Commission have adequately emphasised the necessity of increasing the mobility of the police officers and these allowances ensure it.

245. The Police Commission of 1860 recommended a horse allowance for all ranks above the grade of Sergeants. The Indian Police Commission of 1902-03 recommended a horse allowance of Rs. 15 per month for Sub-Inspectors only. It was also recommended that payment of advance should be made to Sub-Inspectors to purchase horses. Inspectors were to get travelling allowance instead of fixed horse allowance. According to

Conveyance allowance.

rule 35 of the Bihar Travelling Allowance Rules, certain ranks of the police are granted a monthly conveyance allowance on the ground that they are required to perform journeys frequently and within a short distance from their headquarters, for which no mileage allowance is admissible. A list of such police officers and the rates of allowance are contained in Appendix III of the Bihar Travelling Allowance Rules. The Commission have come to the conclusion that the system of conveyance allowance admissible to superior officers need not be retained and the conveyance allowance sanctioned for the Superintendents of Police, Patna and Jamshedpur, and the Assistant Superintendent of Police, Patna City, should be abolished. These officers should be provided with staff jeeps for short journeys in town on official duty. Police circle officers who are to be of the rank of Chief Inspector, should be allowed travelling allowance at the rates admissible to officers drawing their salaries. The Chief Inspectors posted to Patna and Jamshedpur and to town circles should be given a monthly conveyance allowance of Rs. 50 for maintaining their vehicles. Where any staff conveyance is provided they will not draw any travelling allowance but a daily allowance for a journey beyond the limit of five miles. They should be encouraged to maintain their own jeeps and a motor-car advance on the usual terms should be granted to them. At present a Sub-Inspector of Police posted to a police-station is entitled to get a conveyance allowance of Rs. 50 if he maintains a motor-cycle or a horse. He does not get any travelling allowance unless he performs a journey outside his own jurisdiction but is only entitled to a halting allowance if he halts for the night away from his headquarters beyond the limit of five miles.

The evidence available to the Commission overwhelmingly shows that this system has not worked satisfactorily. It is said that a horse cannot be maintained on Rs. 50 per month and the motor-cycle can be used only for a limited purpose because of the terrain and lack of motorable roads. Many witnesses have, therefore, urged that time has come when every police-station should be provided with a staff jeep otherwise the mobility of the police-station staff would continue to be impaired. The Commission have examined the suggestion elsewhere and have recommended that staff jeeps should be provided only in certain police-stations, for, their maintenance will cause considerable difficulty. They are also aware that there are certain police-stations in the State where the best way of touring for the officers would be on horseback and, therefore, do not agree with the views expressed by some that officers should be discouraged from maintaining horses. It may be desirable to draw up a list of such police-stations where horses should be maintained; and, where this is considered necessary on public grounds, the officers of the rank of Inspector and Assistant Inspector should get a horse maintenance allowance of Rs. 75 per month. Another list of police-stations, including all police-stations in urban areas, where motor-cycles can be freely used, should be maintained and there the existing motor-cycle allowance of Rs. 50 per month should be adequate. In either case, the officer should be entitled to get a refundable advance to buy a horse or a motor-cycle to be repaid in easy instalments in the same way as superior officers are allowed to draw motor-car advance. The Commission, however, recommend that the Inspector-General of Police should be authorised to sanction these advances. Head-constables attached to town out-posts and traffic should be allowed a conveyance allowance of Rs. 8 per month. The conveyance allowance admissible to officers posted to police-stations only helps them in maintaining a horse, a motor-cycle or a cycle and it is the considered view of the Commission that they should be entitled to travelling allowance in the same manner as any other officer of comparable status and pay is entitled to get. This will encourage officers to tour freely and also prevent their borrowing conveyances from friends and others.

246. The rates of travelling allowance as sanctioned by Government from time to time for various classes of officers should, as hitherto, govern the travelling allowance admissible to police officers. The only departure that the Commission have recommended is in the case of officers posted to the police-stations. They should all be given

allowing allowance for journeys performed beyond the five mile limit at the rates admissible fixed on the basis of their salaries.

217. The present system of granting halting allowance is of comparatively recent origin.

Formerly, daily allowance was allowed to an officer performing journeys beyond the limit of five miles even though it might not mean a night halt outside his headquarters. The Commission recommend that the system of daily allowance should be introduced for the police-station staff. If any officer attached to a police-station is away from his headquarters continuously for eight hours and camps beyond the limit of five miles, he should be entitled to a daily allowance over and above any travelling allowance that he can earn at the admissible rates. The Commission then considered the rates of daily allowance at present admissible to the various ranks. In their view they are inadequate and the Commission recommend the following rates for each rank :—

					Rs.
Inspector-General	...	...	...	...	12.50
Deputy Inspector-General	...	...	...	...	10.00
Superintendent	...	...	...	...	9.00
Assistant Superintendent	...	...	...	...	7.00
Deputy Superintendent	...	...	...	...	5.00
Chief Inspector	...	...	...	...	4.00
Inspector	...	...	...	...	3.50
Assistant Inspector	...	...	...	...	3.00
Head-constable	...	...	...	...	2.50
Constable	...	...	...	...	2.50
				in the mufassil and	
					2.00
				in a municipal town	

daily allowance should also be permissible on the days journeys are performed whether by road whenever an officer is absent for 8 hours or more from his headquarters.

In recommending these rates, the Commission have not based them on the pay of the rank. The commitments of an officer of any one rank while on tour are exactly the same as those of any other drawing a slightly higher pay and to base his halting allowance on the rank by him is unnecessarily invidious and causes undue hardship.

C. PENSION AND RETIREMENT RULES

Sound pension and retirement rules are indeed the distinguishing characteristics of sound management and offer such security on retirement that Government posts attract good recruits for all times. When one gets too old to work, one can still look forward to living on a pension. The prospects of pension on the expiry of long service or the hope that the family would not be stranded due to untimely demise of the employee are great safeguards and offer sufficient security so essential for any force.

attended with risk of office. On the recommendation of the Islington Commission on the Public Services, 1912, pensions were classified into four categories :—

- (1) Compensatory pension to be awarded to officers discharged because, on a reduction of establishment, their appointments have been abolished and other suitable employment cannot be found for them;
- (2) invalid pensions to those officers who suffer bodily or mental infirmity and are permanently incapacitated for the public service or for the particular branch to which they belong;
- (3) superannuation pensions, granted to officers entitled or compelled by rule to retire at a particular age; and
- (4) retiring pensions, granted to officers who voluntarily retire after completing a prescribed period of qualifying service.

Chapter IX of the Bihar Pension Rules provides for extraordinary pensions to officers who may suffer severe injuries as a result of special risk of office. They are entitled to the award of gratuity and pension, the amounts of which are determined according to the nature and the circumstances of the injuries caused.

The Bihar Liberalised Pension Scheme, 1950, makes provision for :—

- (i) death-*cum*-retirement gratuity; and
- (ii) family pension.

It has not been suggested to the Commission by any witness that major alteration should be made in the structure of the existing pension scheme except that as police officers sometimes have to make the supreme sacrifice of laying down their lives for the good of the community and Government, a more liberal family pension should be allowed to the dependents who might be left destitute due to such untimely death. The Commission would recommend that in the event of such death, the family should be entitled to get a lump sum gratuity and pension equivalent to the pay that was last drawn by the deceased till such time as the widow or such other recipient does not die or get married or find some employment or till such time as the deceased would have been in service whichever is earlier. The Commission also recommend that instead of an officer's family under the new pension scheme getting entitled on his demise to a gratuity and pension only after the deceased has put in 20 years of service should be decreased to 10 years. The family pension should be paid for 10 years after the demise provided that the total period for which pay and pension are drawn by the deceased and the family of the deceased should not exceed a total of 30 years. A number of witnesses advocated the introduction of a scheme for special insurance for police officers at subsidised rates. In view of the present scheme of pensionary benefits including the rate of pension and death-*cum*-retirement gratuity, the Commission do not consider it necessary that any scheme of special insurance need be introduced.

At present there is a provision for retiring an officer who is incompetent or has unsavoury reputation after he has put in 20 years of qualifying service and 25 years of total service. This period is far too long to wait for an incompetent officer to be retired and the Commission recommend that this period should be reduced to 15 years in case of all new entrants and if rules permit it even in case of old entrants.

249. The evidence before the Commission was sharply divided with regard to the age of superannuation. A large number of witnesses have suggested that as in Uttar Pradesh and as for the ministerial cadre, the age of retirement of police officers should be raised from 55 to 58 years. After careful consideration the Commission recommend that the age of retirement of all ranks above that of a constable should be 55 years but

if they are mentally alert and physically fit extension up to the age of 58 years should be granted liberally. The age of retirement for constables should be 55 years and of an armed constable recruited for the military police (Special Armed Police) 45 years but if transferred to the District Armed Police it should be 50 years. Extension up to the age of 50 years in the Special Armed Police and 55 years in the District Armed Police may be granted if a constable is physically fit and continues to be capable of bearing arms. A junior commissioned officer in the Special Armed Police (Bihar Military Police) and the District Armed Police should retire at the age of 55 years. As regards the retiring age of ministerial officers the Commission recommend that it should be raised to 60 years.

D. LEAVE

250. While the general view before the Commission was that the present leave rules do not require any amendment, there was strong evidence to suggest that a policeman seldom gets a holiday even during his own festivals when the call of duty is in fact greater. The Commission are, therefore, quite concerned over the limitations which are necessarily placed on the police from enjoying any holiday and recommend that the period of casual leave should be extended from 16 days as at present to 30 days to be availed at a stretch for not longer than 15 days as against 12 days at present. Constables sometimes are not able to proceed on leave when they require it as their substitutes are not readily available. The leave reserve is kept at the headquarters of the district. A lot of work will be cut out and hardship removed if the leave reserve of constables were maintained at every police post. This arrangement would be economical resulting in appreciable saving.

E. HOURS OF WORK

251. As specified in section 22 of the Indian Police Act (V of 1861), the nature of police work is such that every police officer is considered to be always on duty. This does not, however, mean that he is normally expected to work for longer than 8 hours a day. There is a provision in the Police Manual that constables should work in shifts of 8 hours whether posted to a town out-post, traffic or a police-station or when given any other assignment. The Commission do not consider it desirable to make any recommendation to amend section 22 of the Police Act (V of 1861). Views have been expressed before the Commission that policemen are generally called upon to be on duty for much longer than 8 hours a day and this is mainly due to understaffing at various levels. In any case, it has been recommended by these witnesses that as policemen have to work for longer than 8 hours, they should be allowed an overtime allowance. The Commission are not in favour of this view as account keeping and the calculations would lead to endless trouble and may also cause some heart-burning. The Commission, however, recommend that the leave and casualty reserve should be carried at each post and not sanctioned as a reserve at the headquarters of each district. If this is done the occasion for overtime work will not be frequent.

F. HOUSING

252. The adequacy of housing the police decisively influences the quality of their work and the efficiency of their service. It is perhaps seldom realised how adversely lack of housing facility affects the morale of a force. Moreover, good police buildings attractively constructed raise the prestige of the force and aid substantially in promoting good public relations. The Commission during their extensive tours noticed that a large number of police-station buildings are very old and in a deplorable state of repairs and some of them need to be condemned without any further delay. Most of them do not provide adequate accommodation for the police-station staff and require immediate expansion. The Commission are of the view that every police-station should have a reception room where those who go to the police-station to seek redress or get assistance have a place of shelter and are not kept waiting for long hours in the compound under trees or on the verandahs as at present. Such a condition does not help in getting people to go to the police-station if

they have any complaint to make. The Commission examined the type plans for the various buildings and, but for minor modifications, they need not be revised. They have however to note with some concern that the working position is so deplorable that no police building can be erected in any reasonable time. The present mechanics for getting a project through is so slow and bound with red tape that the housing position which is in a poor state cannot improve and the Commission, therefore, recommend that a high powered departmental committee consisting of representatives of the Public Works Department, the Finance Department and the Police Department be set up immediately to examine the question in greater detail regarding every district and to make their recommendations on the planned basis for being immediately implemented. The Government of India recently offered loans for the housing of police personnel of the lower income group. The Commission recommend that full advantage should be taken of this scheme for providing accommodation for married people, especially for the constabulary. Considerable evidence has been laid before the Commission to suggest that in view of the rapidly changing economy in the village and the disruption of the joint family system, the constables cannot now afford to maintain two establishments. Serious efforts have, therefore, to be made to provide accommodation for at least 30 per cent of the strength of the armed police and 50 per cent of that of the unarmed police at every headquarters. The departmental committee recommended to be set up should, without loss of time, draw up a five year plan for the augmentation of the housing scheme. The police housing scheme has not made much progress as the Public Works Department have not been able to complete all works within the financial year and thus funds have lapsed. These difficulties are inevitable as the Public Works Department have now many important commitments on hand. It may, therefore, be necessary to create a special division of the Public Works Department for works under the police housing scheme. This has been done in Madras and Mysore. The proposed departmental committee should meet at least once in two months to review the progress and remove technical hitches. Superintendents of Police and Deputy Inspectors-General should also maintain close liaison with officers of the Public Works Department to ensure that works make a satisfactory progress.

The Commission have also examined the position with regard to rented accommodation being made available, particularly to the constables, some of whom have in their evidence complained that the present system to grant house rent in lieu of free quarters is rather tortuous and the scale laid down is much too meagre. The Commission recommend that the departmental committee should examine this matter but pending its recommendations, the Commission have already suggested that the Superintendent of Police should be authorised to sanction house rent at higher rates and the payment of house rent should be made in advance on the officer furnishing a certificate duly attested by his next superior officer. In bigger cities, the problem of accommodation is still acute and a large number of officers who are entitled to rent-free quarters are made to fend for themselves. As the rates of house rent are particularly high in the urbanised areas, the Commission recommend that those entitled to rent-free quarters should be allowed the actual rent that they have to pay and those who are not entitled to free accommodation should be made to pay only 10 per cent of their salary and Government should consider reimbursing the extra paid by them to any extent considered reasonable.

G. MEDICAL AID

253. The Oaksey Police Committee of England, 1949, observed "a high standard of fitness of health is required for recruits when they join and it is obviously in the public interest that the health of the policemen is maintained throughout their service". Recent statistics made available to the Commission regarding the health in the Bihar Police would show that there has been a sharp deterioration in the health and the physical fitness of the force and the Commission consider that some positive steps have to be taken to provide proper medical aid to the serving personnel and to ensure their physical fitness. While the

Commission note with satisfaction that in recent years a police hospital has been established in every district headquarters, they have to comment that these hospitals are not properly stocked with medicines and the patients are sometimes forced to go to the bazar for buying them. In such an event, the Commission have already recommended that the reimbursement should be sanctioned by the Superintendent of Police, for, every serving personnel is entitled to free medical treatment. There has been also considerable evidence before the Commission to indicate that the families of policemen who are entitled to free treatment as defined in the rules should be treated in police hospitals and they should be so expanded as to provide for their treatment. The Commission accept this view and commend it for Government's consideration.

During their evidence, several witnesses have complained before the Commission that some of the doctors in charge of the police hospitals are either very busy or oblivious of their responsibilities and the administration suffers because the control of the Superintendent of Police, who is vitally interested, is remote. Some of the superior police officers in their evidence have suggested that the Superintendent of Police should be invested with some disciplinary control over the doctors in charge of police hospitals, the Civil Surgeon, of course, maintaining the overall administrative and operational control. One Civil Surgeon in his evidence has suggested that as he has no time to devote to the supervision of work in police hospitals, they should be placed in charge of the Civil Assistant Surgeons. Government have already taken a decision to abolish the post of Sub-Assistant Surgeons who were hitherto in charge of these hospitals. The Commission recommend that Assistant Surgeons in charge of police hospitals should not be allowed private practice and should be given a non-practising allowance on a liberal scale. While they do not recommend that the disciplinary control over the police doctor should vest in the Superintendent of Police, he may make an annual report on the work of the police doctor to the Civil Surgeon, sending a copy to his own immediate superior.

In the army there is considerable emphasis on the health and sanitation and Commanders at every level are specially enjoined to devote considerable time and care to these matters. The British Police Regulations make superior officers responsible for the maintenance of the health of the force under their command. The Commission have to observe that there is a tendency amongst the superior officers of the police not to worry much about the health of the force and recommend that suitable rules should be incorporated in the Police Manual to fix the responsibility in this regard on the various officers. As in the army, a system of periodical medical check up may also be introduced in the police and all officers up to the rank of Inspector of Police should undergo such a check up once in three years.

For specialised treatment, particularly for the treatment of tuberculosis, police patients have to be sent to the Itki Sanatorium. The Commission note with satisfaction that a special free ward for policemen providing 12 beds has been established by the Police Department. There is evidence to indicate that the malady of this disease is fairly common in the police and the Itki Sanatorium cannot provide adequate accommodation to all those who are stricken. The Commission strongly urge that suitable hospitals at each range headquarters should be established for treatment of tuberculosis prior to the patients being sent to the Itki Sanatorium.

As the police are deployed extensively in the rural areas, facilities for treatment in District Board dispensaries should be made readily available. The Bihar Police Association have suggested to the Commission that police officers should be allowed to be treated by their own doctors and that they should be reimbursed the expenditure borne by them on this account. Alternatively, the Association has suggested that every member of the force should be given a monthly medical allowance of Rs. 25. While the Commission are in sympathy with these suggestions, they fear that such an arrangement is likely to lead to abuse and if the recommendations that have been made above are fully implemented there should be no cause for grievance.

H. WELFARE

254. The welfare of any service should be a matter of primary concern for any employer and it is of vital importance in a force as its welfare affects to a degree its morale. The Commission are glad to record that recently this subject has received adequate attention not only in Bihar, which has in certain matters gone far ahead, but in other parts of the country also. A Police Relief Fund created in Bihar in 1927 on voluntary contributions and received from philanthropists became moribund. In 1953 this fund was re-constituted into the Police Relief and Welfare Fund to which Government were pleased to sanction a recurring grant of Rs. 40,000 which was later raised to Rs. 50,000. A sum of Rs. 26,938 was transferred from the old Bihar Police Memorial Fund. A scheme of raising voluntary subscription @ Rs. 2 per constable per year and on a sliding scale in respect of other officers was introduced in order to augment this fund. The total receipts per year come to about Rs. 75,000. The Commission are, however, of the view that the voluntary contributions to this laudable object should be stepped up and recommend that Government should also consider raising the grant to at least Rs. 1,00,000 a year. Bihar has had the unique privilege of establishing a public school at Hazaribagh the first of its kind in India, for imparting free education up to the higher secondary standard to the children of constables and at subsidised rates to the children of higher ranks. There are over 300 students on the roll of this school and the children of constables are not only given free education but free board and free clothing. This was a great step forward towards organising welfare measures for the force but is still not sufficient. The Commission recommend that such schools should be established more with the help of voluntary contributions from the force than from Government grants at the headquarters of every range and subsidiary schools at the headquarters of every district and military police unit. The amount of the subscription raised for this purpose should also be stepped up and since in the army everyone has compulsorily to pay towards the welfare fund an officer of the rank of Superintendent of Police pays about Rs. 5 per month, the rates of the subscription from each rank, in the view of the Commission, should be made in the following scale in the police :—

					Rs.
Inspector-General	...	...	...	...	30 per year.
Deputy Inspector-General	...	...	...	...	25 per year.
Superintendent	...	...	...	...	20 per year.
Assistant Superintendent or Deputy Superintendent	...	...	...	...	15 per year.
Chief Inspector	...	...	...	...	12 per year.
Inspector	...	...	...	...	10 per year.
Assistant Inspector	...	...	...	...	8 per year.
Head-constable	...	...	...	...	6 per year.
Constable	...	...	...	...	5 per year.

A Committee presided over by the Inspector-General administers this fund at the State level and by the Superintendent of Police at the district level. The Commission suggest that when the fund is properly augmented, an annual allotment should be made to every district in order to facilitate administration and an upper limit as a part of the Superintendent of Police's competence to sanction a grant should be fixed. Every rank should be represented in each of these committees and the membership in the district committee should be drawn from the Police Council which is being recommended.

255. The Commission have seen the report of the seminar held at Simla to consider police welfare measures which are to include—

- (i) health of the force including their families;
- (ii) education of police children;
- (iii) housing;
- (iv) augmentation of family income through knitting, etc.;
- (v) welfare of retired and disabled personnel;
- (vi) insurance; and
- (vii) cultural activities.

Each of these items should receive adequate attention of the welfare committees that have been recommended to be set up. The activities for welfare should increase to such an extent that would require a whole time officer at the State level to assist the Inspector-General and following the Orissa system, where the Commission saw a well set up welfare organisation under a Deputy Superintendent of Police, Bihar should also appoint a State Welfare Officer of the rank of Chief Inspector to be attached to the office of the Inspector-General.

In this connexion the Commission commend for the consideration of Government, the various recommendations that have been made by the Central Pay Commission of 1957—59. One of the important steps that are to be taken is to provide necessary facilities for canteens to be run on co-operative lines and the Commission recommend that such canteens should be established at every district and subdivisional headquarters.

I. RIGHT OF ASSOCIATION

256. The Central Pay Commission have also recommended the creation of "Whitley Councils." The Commission are in agreement with this view. Every district should have a district council composed of six members and a chairman. Three members of the council shall be elected through secret ballot by all the constables of the district and three shall be nominated by the Superintendent of Police. These six will then constitute an electoral college to elect a chairman. The seniormost amongst them will preside for the purpose of election and will have a casting vote. When the chairman is duly elected, the council will be concerned with regard to the welfare and the well-being of the force. For the present there is no need to start an association but if the work of the council progresses satisfactorily, the Commission recommend that the constables also should be given the privilege of starting their own association in due course, care being taken that only the serving personnel are entitled to be members of the association.

CHAPTER XIX

DISCIPLINE

257. The essence of good administration is the manner in which those who run it work and conduct themselves. This applies with a greater force to the police where discipline should always occupy the place of pride because discipline corrects the baseness of worldly passions, fortifies the heart with virtuous principles and enlightens the mind with useful knowledge. Proper enforcement of discipline requires the superior officers to be vigilant so that they can discover the weakness, deficiency, failure or an overt act of a subordinate, decide the appropriate disciplinary action to be taken, and initiate and carry out the proposed action. In discharging these responsibilities, the superior officer must act promptly, decisively and wisely with the best interest of the service as his guide. He must set a good example himself. A scheme of disciplinary control cannot be perfect if it is not possible to discover the fault of the subordinate quickly and if the fault so discovered cannot be quickly analysed, investigated and appropriate action taken. Severity is not necessarily an element in the disciplinary process. Discipline depends on leadership rather than repression. Given a fair treatment, recognition of merit, and avoidance of favouritism, discipline will follow as a matter of course. The two principles deterrent to dereliction are, however, swiftness and certainty of action. A failure to take suitable corrective or punitive action in time results in lax discipline and lowering of the morale.

No uniform scheme of disciplinary control existed until the police force was reorganised in the sixties of the last century on the basis of the recommendations of the Indian Police Commission of 1860 and the Police Act (V of 1861). Each Magistrate of the district was responsible for the discipline of the police force of his district. The state of discipline was found to be poor. It was the view of the Select Committee appointed in 1832 that frequent dismissals of Darogas led to a want of confidence in the permanency of this office and their ill-treatment by the European magistrates kept the force dissatisfied and their morale low. In their Memorandum accompanying the Resolution appointing the Indian Police Commission of 1860, the 'Supreme Government' desired that the discipline of the force should be similar to that of a military body; that the appointment and dismissal of every policeman should rest with the European officer to whom he was immediately responsible; that the direction of the whole interior economy of the force must rest exclusively with the officers of the police; that the force should be so organised that the rank of every individual in the force was an unerring index to his position and duties and should show at once who is to command and who is to obey. The Commission of 1860 recommended that the immediate control and authority of the force should vest in the Inspector-General who should be required to pay proper attention to its discipline. In the districts, the European District Superintendents of Police were to be responsible for the discipline of the force and also answerable to their superior officers for any laxity in it. These recommendations are incorporated in the Police Act (V of 1861) which vests¹ certain disciplinary powers in superior police officers and prescribes certain punishments and penalties for neglect of duty or wilful breach of any rule or regulation. It also empowers the Inspector-General to frame rules for preventing abuse or dereliction of duty.

The Indian Police Commission of 1902-03 fully realised the importance of discipline in a police force and therefore, made elaborate recommendations; the discipline should be left entirely to the officers of the force and not even the District Magistrate should interfere; no officer below the rank of Superintendent should be empowered to inflict punishments except

1. Section 7 of the Police Act (V of 1861).

an extra drill and confinement to quarters; evidence of general repute should be admissible to prove a charge of corruption; an officer of proved inefficiency should be removed upon reduced pension or gratuity; there should be no appeal against orders awarding minor punishments and, in all other cases, one appeal should be allowed.

258. The present scheme of disciplinary control is based on the Civil Services (Classification, Control and Appeal) Rules, 1930, brought up-to-date in 1957 in accordance with the proviso to Article 309 of the Constitution of India. These rules prescribe the scales of punishment and the procedure that should be adopted for imposing a punishment and the redress that may be sought through appeal. Chapter XIV of the Constitution deals with the services under the Union and the State and Article 311 makes it obligatory that no public servant can be dismissed or removed by an authority subordinate to that by which he was appointed and that reasonable opportunity must be furnished for showing cause against the action proposed to be taken. The basic rules of disciplinary control are amplified in the relevant chapters¹ of the Police Manual and a number of Police Orders supplement these rules and regulations in order to ensure just and speedy disposal of disciplinary proceedings. The scheme of disciplinary control allows a delinquent adequate opportunity to explain his conduct and even a minor punishment cannot be awarded without obtaining from him a written explanation or giving him a personal hearing. The disciplinary control in respect of an officer of the rank of Deputy Superintendent vests in the State Government, in the Inspector-General in respect of Inspectors, in the Deputy Inspector-General in respect of Sub-Inspectors and in the Superintendent in respect of other ranks. The Deputy Inspector-General can award minor or major punishments short of dismissal to Inspectors and similar powers are enjoyed by the Superintendents in respect of Sub-Inspectors.

The disciplinary rules governing the Bihar Military Police as contained in its Manual are a little more rigorous and provide for confinement in cells for certain kinds of misconduct.

259. The witnesses are generally of the view that the existing provisions are adequate, but what is required is effective enforcement of the rules with firmness, sympathy and proper understanding. They urge that disposal of departmental proceedings must be speedy as protracted proceedings cause unnecessary harassment and adversely affect the morale of the force. The Chairman of the State Public Service Commission stated that far too many proceedings were started on inadequate material and most of them took considerable time to finish and, consequently, an officer under proceedings had his prospect of promotion ruined. According to him, no proceeding should be instituted unless it is good enough to secure at least a major punishment, if not dismissal. The consensus of opinion is that the existing procedure need not be simplified as most of the difficulties that obstruct expeditious disposal of proceedings are either the failure of the conducting officer to follow the procedure strictly or to enforce his order effectively. Some senior police officers including the Inspector-General of Police, Bihar, have pointed out that one great difficulty in the way of quick disposal is the production of unjustified medical certificates which a delinquent officer is sometimes able to obtain in order to delay a proceeding, but even this difficulty cannot justify an alteration in the procedure as the present safeguards must be maintained. If a delinquent applies for leave on medical grounds after the necessary charges have been framed, he should be called upon to appear before a Medical Board before leave is granted. In order to avoid delay, suggestions have also been made that either the strength of supervisory officers should be increased or a separate cadre of Personnel Officers should be created for conducting departmental proceedings.

Among the service associations, the Bihar Police Association is of the view that the existing disciplinary rules do not provide adequate safeguards and have suggested that a lawyer should be allowed to be engaged at the discretion of the delinquent and not at the discretion of the conducting officer; that a joint council should be set up in each district with a judicial authority as its president, and a representative, each of the Superintendent of

¹ Chapters XXII and XXV of the Police Manual.

Police and the delinquent and two other members for conducting departmental proceedings; that whimsical and unjustified suspension of officers must be stopped and an adequate opportunity should be given to the defaulter before any minor punishment is awarded. This Association is also of the view that disciplinary action against Inspectors should be taken by Government, major punishments to Sub-Inspectors and equivalent ranks should be awarded by the Inspector-General, and minor punishments by the Deputy Inspector-General and the power of the Superintendent to inflict minor or major punishments should be confined to the ranks of Assistant Sub-Inspectors, Havildars and constables. These suggestions of the Association are, however, not supported by senior police officers who think that it would be dangerous to weaken the authority of the Superintendent of Police. The Inspector-General of Police, Rajasthan suggests that complete disciplinary powers should vest in the Superintendent of Police in respect of all ranks up to Sub-Inspectors and in the Deputy Inspector-General in respect of Inspectors. The Inspector-General of Police, Bihar, is however, of the view that if the pattern of officering is changed and Inspectors are appointed as officers-in-charge of police-stations, it will be necessary to give the Superintendent greater disciplinary control on Inspectors who, at present, cannot be awarded any punishment by the Superintendent of Police. In this the Inspector-General is supported by some senior police officers including Superintendents of Police of districts where Inspectors are officers-in-charge of police-stations.

260. There is no doubt that the efficiency and effectiveness of a police force depend very largely on the standard of discipline and, therefore, the Commission have examined this subject with care and consideration. Apart from the views of the witnesses, the Commission have also studied certain relevant statistics. The statistics of departmental proceedings since 1912 make an interesting reading, if the volume of proceedings can be an index of the standard of discipline. In 1912, when Bihar separated from Bengal, 362 officers and 2,727 men were awarded both major and minor punishments. The volume of punishments recorded a very steady increase from year to year till 1926 but the following year recorded a sharp fall and the downward trend continued till 1944. It may be relevant to recall that in 1942, the Director of the Intelligence Bureau, Government of India, had observed in course of his enquiry that the standard of discipline of the Bihar Police had steadily declined since 1937 and had not shown the same capacity of recovery that had been seen in other Provinces. He felt that this lowering of discipline was partly due to lower standard of service conditions and partly due to political agitations. The disaffection in the police force which culminated in the Police Strike of 1946 has done some damage to the discipline of the force. The falling standard of discipline caused considerable concern to the Government and the Department and efforts were made to repair the damage by enforcing more rigorously the rules of discipline. The results of these efforts are reflected in a steady rise in the volume of departmental proceedings instituted after 1944. This upward trend continued till 1955. On an average, 1,500 regular proceedings have been instituted every year since 1947. The Commission are informed that the deterioration in the standard of discipline has been halted and efforts to repair the damage have been fruitful. In view of the fact that the Bihar Police Force has generally acquitted itself with credit in tackling all major law and order problems, connected with the public order and maintenance of peace that cropped up in the wake of Independence and that their services have been appreciated and recognised whenever deputed outside the State, the Commission feel satisfied that the level of discipline, after Independence, has, on the whole, been satisfactory. The Commission hope that the standard of discipline would improve further with the organisation that is proposed in their Report. There is no doubt that discipline is dependent on the adequacy and the quality of the force, both of which the Commission hope to achieve.

261. The Commission do not consider it necessary to suggest any material change in the existing scheme of disciplinary control. The Commission are informed that in the police, the system of awarding minor punishment has been worked a little too much and they are

sometimes awarded haphazardly. They recommend that no one should be punished unless he is regularly called upon to explain, either orally or in writing, his conduct in question. Before a censure is awarded, a regular system of giving caution and reprimand should be instituted and whenever any such reprimand or caution is administered, it should be entered in a separate book maintained for each officer. The entries in this book should also include instances of good work. This system will help in making the annual assessment of an officer's work and worth. Black-mark should be excluded from the list of major punishments and proceedings for dismissal should be taken up as soon as an officer is reduced in rank or pay three times. The Commission note with concern the views expressed by witnesses about the delay in the disposal of departmental proceedings and the flimsy grounds on which proceedings are sometimes instituted. In their anxiety to ascertain the exact position, the Commission have studied the statistics showing the rate of disposal of departmental proceedings. It is disquieting to find that only 25 per cent of the proceedings are disposed of within two months and over 30 per cent of the proceedings take any time beyond six months to two years. The Commission agree with the witnesses that protracted proceedings do not serve any useful purpose and are also detrimental to the morale of the force. If the present rules are properly enforced and the conducting officers are prompt and firm, there should be no delay in the disposal of proceedings and it should not be possible for any delinquent to adopt the usual dilatory tactics. In quite a number of instances, delays occur on account of the inability of the conducting officer to combine his ordinary duties with the task of conducting departmental proceedings. The Commission suggest that whenever any serious or complicated departmental proceedings is to be conducted, the conducting officer should be one who can afford to devote sufficient time for conducting the enquiry. If possible, every district should have a panel of officers who should be entrusted with this work in rotation and, when an officer of the panel is so engaged, no other assignment should, as far as possible, be given to him. It would be ideal if he could be temporarily relieved of a portion of his normal work. It should also be ensured that, as soon as it is decided to institute departmental proceedings, copies of relevant papers are made over to the delinquent before he is called upon to enter into defence so that the enquiry is not interrupted at any stage on this ground. If delay occurs on account of delinquents obtaining spurious medical certificates, the Commission strongly recommend that those officers, against whom charges are framed but want to get away on medical leave after the framing of the charges, should as already said be required to appear before a Medical Board consisting of the Civil Surgeon of the district and two other doctors appointed to the panel for each district by the Director of Health Services. This panel should be a standing body so that there would be no delay on the part of the Civil Surgeon in convening the Board nor any difficulty on the part of the Superintendent of Police in compelling the delinquent to appear before the Board without delay.

262. The Commission consider it essential that major punishments should not be inflicted without due care and whenever a charge is framed for instituting a regular proceeding, the delinquent must be afforded an opportunity to explain orally or in writing the charge proposed to be framed against him. This preliminary explanation will be always helpful in determining finally whether the institution of a regular proceeding is justified or not. In making this suggestion, the Commission are influenced by the considerable evidence laid to show that a large number of departmental proceedings are unnecessarily undertaken as they either end in minor punishments which could well have been awarded without proceedings or are wholly abortive. The same remarks apply to cases of suspension. The present instructions of the State Government are quite clear that an order of suspension should be passed after careful deliberation and before any such order is passed, the officer passing the order should reasonably satisfy himself that the charge, if proved, would lead to the removal of the delinquent from the force. The Commission desire that these instructions should be rigidly enforced and, in no case, should a delinquent be suspended without due consideration. It should always be advisable to call

upon a delinquent to show cause why he should not be suspended before the order of suspension is actually passed, but this procedure need not be followed in a case in which immediate suspension of a delinquent may appear to be the obvious course.

263. If the above suggestions are adopted, the Commission have no doubt that the present defects of the system of departmental proceedings will be greatly removed and there will be no lack of confidence in the fairness of the system. In order to make the system conform fully to the principles of natural justice, the Commission also recommend that reporting officers should not be asked to conduct the proceedings or to pass final orders. At present the Superintendent of Police passes final orders on the proceedings instituted on his report. From the point of view of practical expediency, the Commission do not find anything wrong with this procedure, but as it is apt to create some misgiving in the mind of the delinquent, even if the order is just and well founded, the Commission desire that such proceedings should be preferably conducted by an officer who is not under the immediate control of the Superintendent and the final order should be passed by the Range Deputy Inspector-General. This procedure will ensure a system in which there is no chance of lack of confidence arising in the mind of a delinquent. The Bihar Police Association has urged that the delinquent must be given discretion to engage a lawyer. This discretion at present vests in the conducting officer and the Commission do not propose to interfere with this rule. A departmental proceeding must not be confused with a judicial trial, and, therefore, it would be most inexpedient to allow the delinquent the discretion to engage a lawyer to defend him in every case. The Commission, however, realise that some of the delinquents, particularly of the rank of constable and Head-constable, may not be able to defend themselves properly and such cases deserve sympathetic consideration. Whereas the employment of a lawyer in every case may cause unnecessary complications and is also detrimental to the discipline of the force, the Commission find nothing objectionable in the system that prevails in England and in the army in India which permits a delinquent to nominate a serving officer to defend him. Employment of a serving officer has the additional advantage that the progress of a proceeding need not be interrupted on account of unavoidable absence of the delinquent, if the officer nominated by him is present. The Commission recommend the adoption of this system and hope that it will sufficiently meet the demand of the Bihar Police Association. But care must be exercised to prevent the nomination of the same officer every time to defend the delinquent, as the former would then become a professional defence police lawyer and acquire some vested interest to the detriment of regular police work.

264. The existing regulation¹ requires the character and record of service of the delinquent to be considered in determining the punishment proposed to be inflicted. This rule does not always work out fairly in every case and, therefore, the Commission desire that the system that prevails in England should be adopted. Record of a minor punishment should be expunged after five years of clean record and of major punishments after ten years of such a record. This provision will provide an inducement and an opportunity to an officer to rehabilitate himself and improve the record of his service.

265. The present procedure for appeal, revision and memorial, as prescribed in the Police Manual,² is sound and does not require any change. The Commission are, however, of the view that the power of review³ that vests exclusively in the Inspector-General of Police should also be shared by the Deputy Inspector-General. This power enables the Inspector-General to call for the proceedings in any case, even when no appeal lies, and pass such orders as he may deem fit. If such a proceeding comes to the notice of the Deputy Inspector-General, he has to refer it, at present, to the Inspector-General for appropriate orders. As inspection of police work of a district is the main responsibility of the Deputy Inspector-General, the Commission are of the view that the latter can make a more effective

1. Rule 826 of the Police Manual.

2. Rules 851 to 853 of the Police Manual.

3. Rule 853 of the Police Manual.

use of this power during his inspections. Furthermore an order passed by the Deputy Inspector-General on review will be appealable to the Inspector-General of Police. This opportunity of appeal is not always available at present as an appeal against an order of the Inspector-General lies with the State Government.

266. The Commission have also considered the various suggestions for decentralisation of disciplinary powers. The suggestion of the Bihar Police Association is that the present scheme of disciplinary control vesting in the Government, the Inspector-General of Police, the Deputy Inspector-General and the Superintendent should be so revised as to take away some of the existing powers of these ranks. On the other hand, some senior police officers, including the Inspector-General of Police, Bihar, have suggested that more disciplinary powers should vest in the Superintendents of Police, particularly when Inspectors are to hold charge of police-stations. Another suggestion is that the supervisory officers below the level of the Superintendent of Police should be delegated some disciplinary powers for dealing with the subordinate ranks. In view of the proposed changes in the organisation of the police, some of the suggestions are not relevant now as the ranks of Assistant Sub-Inspectors and Sub-Inspectors and posts of Subdivisional Police Officers will be abolished. The Commission are of the view that the present scheme of disciplinary control in respect of the Deputy Superintendent of Police does not require any change. The State Government will be the appointing and dismissing authority of the Chief Inspectors, but the Inspector-General of Police should have powers to inflict major punishments except dismissal or removal from service and to transfer these officers anywhere within the State. The Deputy Inspector-General of Police will inflict minor punishments and transfer them within his range. He will be the appointing and dismissing authority of the Inspectors on the advice of the Police Service Commission and have power to transfer them anywhere within the range. The Superintendent of Police should have powers to inflict minor punishments and transfer them anywhere within the district. The Deputy Inspector-General of Police will also be the appointing and dismissing authority of Assistant Inspectors on the advice of the Police Service Commission and have the power to transfer them within his range. The Superintendent of Police will have the authority to inflict major and minor punishments except dismissal or removal from service and to transfer them within the district. The Superintendent will be the appointing and dismissing authority of the constables and the Head-constables and will have complete disciplinary control on these two ranks. The Commission hope that this scheme of disciplinary control will secure the fullest satisfaction to all ranks and at the same time give the authority which is so necessary in a disciplined force to the Superintendent of Police to deal effectively with delinquent officers within his charge. As there will be no Subdivisional Police Officer as such, the Chief Inspector in charge of the circle will discharge all his functions. The Commission do not see any objection to delegating to this officer the power of inflicting the punishment of censure or similar other minor punishment on constables and Head-constables. The Chief Inspector will ensure that he hears the delinquent personally or obtains his written explanation before awarding a minor punishment.

267. Before concluding their recommendations on this subject, the Commission desire to emphasise that no member of the police force should be encouraged to try and get his grievance, real or imaginary, ventilated in the public or through the so-called good offices of any unofficial agency and Police Manual rule 701A(a) should be rigorously enforced. Any such attempt on the part of a member of the force must be resisted in a firm and ruthless manner. If any member of the force succeeds in securing some favour or circumventing some order by adopting dubious means or invoking some extraneous influence, the discipline must necessarily be the first casualty. The Commission have already recommended the setting up of a Police Service Commission. The proposed Commission should inspire complete confidence in matters of recruitment, promotion and exercise of disciplinary powers and, therefore, no member of the force should have any excuse for resorting to any irregular means on the plea of seeking justice.

CHAPTER XX

INCENTIVE

A. PROMOTION PROSPECT

268. The one single factor that provides maximum incentive in service is the prospects of promotion and its two basic requirements are a very objective and accurate rating of the personnel and a fair and impartial system of selection. Serious notice of the absence of this incentive in the thanadari system of police introduced in 1793 was taken by the Police Committee of 1838 which found that the Darogas, who were then the highest police officers, were "inefficient, corrupt and worthless" for want of adequate incentive. The Committee desired some system to be devised to ensure a chain of promotion from the constables to the Darogas. Not much attention was, however, paid to it till towards the close of the last century when the Beames Committee of 1891 recommended that rules should be framed to govern the system of promotion by selection from constables to Head-constables and from Sub-Inspectors to Inspectors. It was about this time that certain rules were also framed for promotion of one or two selected Inspectors as Assistant Superintendent of Police. The Indian Police Commission of 1902-03 reiterated that promotion was to be based on the records of service. Their recommendations were that promotions of Head-constables to Sub-Inspectors should be an exception rather than the rule, that Inspectors should be appointed from among Sub-Inspectors, that a cadre of Deputy Superintendents of Police be created and 50 per cent of the cadre should be filled by promotion from among qualified Inspectors and that selected Deputy Superintendents of Police were to be promoted against certain posts of Superintendents of Police.

At present promotion of gazetted officers rests with Government. The Deputy Inspectors-General are appointed by strict selection from amongst the Superintendents and mere seniority gives no claim for promotion to this rank. Appointments to the Selection Grade of Superintendents are also made by selection and no officer is expected to be promoted to the Selection Grade unless he is of outstanding merit. 25 per cent of the superior posts in the cadre of the Indian Police Service are reserved for officers of the Bihar Police Service and Deputy Superintendents are promoted against this quota on the basis of their records and seniority. Promotions to all other ranks are based on a system of selection according to which suitable officers are nominated to the respective departmental selection boards which interview the nominees and prepare an approved list from which promotions are made. Promotions to the rank of Deputy Superintendent are made by the State Government in consultation with the State Public Service Commission. Temporary vacancies in higher ranks are generally given to officers who are included in the approved lists prepared by the selection boards. Promotion from the rank of constable to Havildar is subject to the successful completion of a course of training, and recently, a qualifying examination has been prescribed for promotion of Assistant Sub-Inspectors of certain age group to the rank of Sub-Inspectors.

269. In any service, each member thinks of promotion in terms of his own progress and prospects, and there must be a few who are quite satisfied. This seems to have covered all the evidence that the Commission have received from the members of the police force. There appears to be a feeling that prospects of promotion are not adequate in any of the existing ranks and even meritorious officers have generally to wait for long periods before their advancement is due. The prospects of promotion are judged by the proportion of officers who may expect promotion to the next higher rank and the length

of time they must wait for it. The first factor is ascertained by determining the ratio that exists between the strength of the higher rank and the rank below it, but there is no arithmetical formula to fix accurately the normal period of waiting. An examination of the personal history of a number of officers of various ranks has revealed sharp variations in the length of time they have had to wait for promotion. For their present purpose, the Commission have decided to rely on the actual average length of waiting in each rank during the last thirty years.

270. Judged by the ratio of promotion and the average period of waiting, the one rank which has almost negligible prospects of promotion is that of the constable. The Commission are informed that most of the constables retire in the same rank and only a small fortunate minority are promoted to the higher rank. Constables including literate constables seek their first promotion to the rank of Havildars and Assistant Sub-Inspectors respectively and only about 12 per cent can expect this advancement, but even this ratio does not hold good in actual practice as over 1,500 posts of Assistant Sub-Inspectors are reserved for some 1,100 Writer-constables. Every Writer-constable is assured at least one rank promotion within ten to twelve years of his service, but the few constables who get promoted to the rank of Havildars consider themselves extremely fortunate. The Commission consider that in order to draw the best out of the constabulary, **it is necessary to improve** their prospects of promotion. Without this incentive, a constable is apt to grow stale, indifferent and apathetic after about 15 to 20 years of service. They hope that the proposed cadre of Head-constables should remove the deficiency by opening avenues of promotion to at least 15 per cent of the constables as against the present proportion of 4 per cent only. Their prospects will be further improved when the cadres of Writer-constables and **Assistant Sub-Inspectors are abolished**. For exceptionally meritorious constables a further scope for advancement is afforded by reserving for them 20 per cent of the posts of Assistant Inspectors. Once a constable and not only the literate constables reaches this stage, he will have a further inducement as he will be eligible for promotion to higher ranks provided he has the necessary ability and merit. This will be the first time in the history of the police that a constable on the beat can **aspire to rise to the highest rank**.

271. The existing cadres of Sub-Inspectors, Sergeants, Inspectors and Sergeants-Major have been proposed to be abolished. The Assistant Inspectors will be the principal investigating officers, the officers-in-charge of police-stations will be drawn from the two grades of Inspectors, and the Chief Inspectors will be in the first line of supervisory officers. The Commission have satisfied themselves that the proposed cadres will provide improved prospects of promotion to each of these ranks. At present 18 per cent of the combined strength of Jemadars, Sergeants and Sub-Inspectors look forward to their advancement to the ranks of Inspectors and Sergeants-Major and the average period of waiting is about 13—15 years. In the proposed cadre, 42 per cent of Assistant Inspectors should have assured prospects of promotion to the rank of Inspector. An Assistant Inspector will be promoted first as junior grade Inspector and can expect a second advancement in the same rank as senior grade Inspector.

272. At present 22.8 per cent of the combined strength of Inspectors, Sergeants-Major and Subedars-Major hope to be promoted to the rank of Deputy Superintendents of Police and the normal expectancy is within 10 to 15 years in this rank. With the proposed cadre of over 300 Chief Inspectors, 75 per cent of whom will be promoted from the rank of Inspectors, 23 per cent of Inspectors will expect promotion to this rank. It would thus appear that an Inspector will be assured of at least two advancements one a grade promotion and the other a rank promotion.

273. The meritorious Inspectors will also work their way up to the rank of Deputy Superintendents of Police. It has been stressed earlier that for very good reasons the Commission have recommended constriction of the latter cadre. Constituted as it is at

present, the cadre has failed to provide the type of 'second officer' which the predecessor Commission visualised. Also, a Deputy Superintendent of Police, particularly if he is a direct recruit, does not have adequate incentive as his promotion to the next higher rank is confined to 25 per cent of the vacancies in the superior posts of the Indian Police Service. Even if this percentage is raised to 30 or 40 per cent, there will not be much improvement in the prospects of promotion so long as the strength of this cadre remains unchanged. The Commission hope that in the proposed structure of the cadre not more than 54 Deputy Superintendents will be required. As only 50 per cent of them will be promoted from the rank of Chief Inspectors, the latter's proportion of promotion will be between 8 to 9 per cent. This percentage is rather small but the Commission are unable to recommend any further increase in the strength of Deputy Superintendents of Police as the over-riding consideration in determining the strength of any cadre should be of the requirements of the service and not merely the prospects of promotion of the cadre below. They have no intention to minimise the importance of the latter consideration and it is not advisable to change the character of a cadre and thus sacrifice the interests of the service for only enhancing the prospects of promotion of some other cadre. As 75 per cent of the Chief Inspectors will be promoted from among qualified Inspectors, each one of the latter will have secured at least one grade promotion and one rank promotion to a gazetted service, almost equivalent in status and pay to those of a Deputy Superintendent and some of them advancing from the rank of Assistant Inspectors will have earned three rank promotions. In this view of the matter, the reduction in the proportion of Chief Inspectors should not be grudged. If the Inspectors and Assistant Inspectors come up to the expected standard of integrity and ability, the Commission recommend that in due course there should be no direct recruitment in the rank of Chief Inspector and all the appointments should be made by departmental promotions. It has been said above that 25 per cent of the superior posts in the Indian Police Service are reserved for promotion of Deputy Superintendents of Police. With their present strength, 9.4 per cent of the Deputy Superintendents of Police hope to get these reserved posts and after some time most of them will be promoted towards the end of their career. The Commission appreciate that such meagre prospects for Deputy Superintendents of Police, 50 per cent of whom are directly recruited, have tended to so demoralise them that most of them are likely to lose their usefulness after 20 years of service in the same cadre. In the constricted cadre, the ratio of promotion will rise to about 32 per cent and consequently, the period of waiting will also get reduced.

274. It is not possible to indicate even approximately how exactly the period of waiting for promotion will eventually work out in each of the proposed ranks. There is no doubt, however, that with increased proportion of promotion, there is bound to be a corresponding reduction in the period of waiting and the Commission hope that in most of the ranks the first advancement should come within seven to ten years and the second advancement must follow within the next ten years and the remainder period of service will have the incentive for a third promotion which should be within the reach of exceptionally meritorious officers.

275. In the armed branch of the police, the chain of promotion will be from constable to Subedar. The present yardstick of officering in the middle ranks is insufficient and the yardsticks proposed by the Commission ensure adequate number of supervisory hands from the rank of Havildar upwards. Once the armed branch is reorganised, the prospects of promotion will automatically improve and at no stage, advancement from one rank to the other is likely to get blocked. Reasonable prospects of promotion are also assured in the various technical cadres if the recommendations are implemented.

276. Some senior police officers have urged that Superintendents of Police have to perform the same type of work for a number of years and this prejudices adversely their keenness, efficiency and interest. The representatives of the Indian Police Service

Association are of the view that at present the cadre is so constituted that the Superintendents of Police suffer from some frustration with regard to their promotion prospects; the number of administrative posts superior to those of the Superintendents of Police are so few and the number of Selection Grade posts so small that a time is certain to come when a large number of Superintendents of Police will have to retire on the time-scale of pay as used to happen in the past. They, therefore, urge that the number of Selection Grade posts should be increased and also other avenues in which police officers can be suitably employed should be found. The above statement of the position in respect of Superintendents of Police appears to be correct and the Commission view it with some concern. They are of the opinion that no substantial increase in the number of Selection Grades or of administrative posts can be visualised in the foreseeable future and, therefore, the only solution of the problem lies in throwing open to selected police officers some suitable non-police posts. Their experience of police service can be profitably utilised in some other departments entrusted with the enforcement of law or management of trained and uniformed personnel. In making this recommendation, the Commission are also influenced by the fact that the recruits to the Indian Police Service are now of superior calibre and it is only desirable that they should be given some opportunity to broaden their outlook and enrich their experience in the field of public administration; change and variety are likely to develop in them a more balanced and rational outlook.

277. Some police officers and the Bihar Police Association have taken exception and, perhaps rightly, to a large number of police officers officiating continuously in higher ranks for long periods. The Commission have examined this complaint with reference to the available statistics and consider it unsatisfactory that 54 officers should be officiating for over seven years, 222 for over five years and 183 between two to five years. The Commission are informed that the sudden depletion of the superior cadres after 1947, the creation of a number of temporary posts for meeting the growing demands on the force, and foreign deputations without any corresponding reserve in most of the cadres, have caused this unfortunate situation. In 1959, 91 officers of different ranks were on deputation to foreign posts and the vacancies so caused were filled by officiating hands. Now that the superior cadres have stabilised, the Commission hope that there has been some improvement already and once the force is reorganised on the basis of their recommendations, the necessity of entertaining so many temporary posts should disappear. For foreign deputations, an appropriate reserve should be created in the rank of Deputy Superintendents, Chief Inspectors, Inspectors and Assistant Inspectors by calculating the average of deputations made in the last five years. **Without this reserve, no cadre can maintain its balance and, therefore, its necessity has been realised in other States and reserves have been created in West Bengal, Madras, Andhra, Orissa and Madhya Pradesh.** Such reserves exist in the cadres of Superintendents and Assistant Superintendents in all the States including Bihar.

278. A number of senior police officers have suggested that there should be provision for out of turn promotion for officers of exceptional integrity and merit. The Bihar Police Association also shares this view. The Commission readily accept this suggestion but would like it to be ensured that out of turn promotion is given very cautiously and only in the interest of public service. It would be desirable to seek the advice of the selection boards and the Service Commissions concerned before any out of turn promotion is finalised.

279. Coming to some of the more general questions on the subject, the Commission have considered the principle which should determine the basis of promotion. Witnesses are sharply divided as to how seniority and merit should be co-related for the purpose of promotion. The consensus of opinion appears to be that both merit and seniority should receive equal consideration and the one cannot over-ride the other. This

view is shared by the Chairman of the State Public Service Commission and the Bihar Police Association. Some witnesses suggest that whenever there is a tie between two officers of equal merit, seniority should receive weightage and *vice versa*. The Commission have sought light from the recommendations of some of the previous commissions. The Vardachariar Committee was of the view that in the higher grades of service, consideration of fitness must have precedence over the claim of seniority, and even in posts involving routine office duties, the rule of seniority should be generally followed, but occasional instances of exceptional promotion of deserving personnel would be an inducement to greater endeavour provided precautions are taken against all suspicions of undue preference. This principle has been reiterated by the Central Pay Commission of 1957—59. They have recommended that merit should continue to be the criterion in making promotions at higher levels and at lower levels, where the work is essentially of routine nature and it is extremely difficult to make a distinction between the performance of two men doing the same standard of work with reasonable efficiency, the principle of seniority-*cum*-fitness is appropriate. The Oaksey Committee on "Police Conditions of Service in England, 1949", was of the view that promotions should never be merely a reward for long and faithful service. This Committee saw no objection to reserving a small proportion to the next higher rank for long service constables who, the Committee felt, were not likely to prove suitable for further advancement. Keeping these recommendations in view the Commission are of the opinion that promotion from the rank of constables to Head-constables should be based on recognition of long and faithful service. It should be sufficient if constables are required to undergo successfully a course of training before being selected for promotion. One such course exists already but the Commission desire that this course should be so revised as to equip a constable for the responsibilities which he will have to discharge on his promotion as a Head-constable. For promotion from the rank of Head-constables to Assistant Inspectors, the Commission have already said that this avenue of promotion should be reserved for Head-constables of exceptional merit only and, therefore, the Commission consider it necessary that the selection should be made on the results of a competitive examination which should be taken by such Head-constables whose records of service and fitness are duly certified by the Superintendents of Police. This screening is necessary to ensure that Head-constables with bad or indifferent records of service, or who may be otherwise unfit to work as investigating officers, do not take this examination. After selection they should undergo a course of training in investigation.

The method of selection for promotion from the rank of Assistant Inspectors and upwards should be different from the one suggested above. These ranks are intended to provide officers of graded trust and responsibility and promotion should be made with a view to filling the higher posts of Chief Inspectors and Deputy Superintendents of Police. It will, therefore, be necessary that some Assistant Inspectors are afforded the necessary opportunity to start their progress towards the top at an early stage. Unless this is done, the ablest men who might expect fairly rapid advancement in any other sphere of life will hesitate to join the police. Moreover, the qualities required of senior officers must, in the view of the Commission, be developed at a reasonably early stage. Other things being equal, a police officer will make a better Inspector, Chief Inspector or Deputy Superintendent of Police if he reaches those ranks young enough to adapt himself to the new qualities of leadership that are required at each stage. The Commission, therefore, desire that for promotion from the rank of Assistant Inspector to Inspector and for further advancement, it should be enough if a minimum qualifying period is fixed for each rank and all those so qualified are given the opportunity to take their chance for promotion. The qualifying period should be so fixed as to ensure that an officer acquires a firm grounding in the ordinary duties of his substantive rank before he can expect a promotion to the next higher rank and, therefore, the Commission suggest that it should not exceed a period of five years for Assistant Inspectors and Inspectors and three years for Chief Inspectors, excluding the period of probation.

280. Some of the witnesses are of the view that a competitive examination is likely to inspire more confidence and afford greater opportunity to meritorious officers. The Commission are of the opinion that a competitive examination would not be

in the best interest of the service as initiative, judgment and other qualities of character which cannot be fully measured by examinations are just as important as educational achievements and the knowledge of police technique. The danger is that it may give undue advantage to officers who are merely good at taking examinations, and handicap the type of officers who may have all the requisite qualities of leadership, tact and resources that are required for the superior posts. A competitive examination would, therefore, tend to rule out many excellent police officers who may not be good at examinations, but who would otherwise deserve promotion because of their high personal capabilities. The Vardachan Committee had advised against promotions being made on the result of competitive examination as they felt that an examination was not by itself a safe and conclusive test. They, however, added that a qualifying examination was distinct from a competitive examination and might be considered. The Central Pay Commission of 1957—59 are also of the view that it would be wrong to make the performance at the written examination the sole determinant of further advancement and not to attach weight to a person's conduct and performance as a public servant for a considerable period. Almost the same views were expressed by the Desborough and the Oaksey Police Committees of England. These two Committees were of the opinion that the best way of filling all posts by promotion was by selection based on observation of the candidates' performance of police duties and supplemented by a system of qualifying examination. They considered this method to be the one most likely to produce the best material for the supervisory ranks and, at the same time, to inspire the maximum confidence in the rank and file as manifestly fair and impartial. Majority of the witnesses have in their evidence before the Commission favoured the idea of linking promotion with some qualifying examination, but the Bihar Police Association is opposed to any such system. The Commission are unable to accept the point of view of the Association, and have already recommended while dealing with the subject of "Training", that adequate weightage should be given to the results of examinations held at the end of in-service training courses. These examinations should be treated as qualifying examinations for the purpose of promotion and anyone who satisfactorily completes the qualifying period of service in his rank and is considered otherwise suitable should be permitted to take the qualifying examination. It is necessary that these examinations are standardised and conducted by the training institution.

The Commission, however, feel that no qualifying examination need be prescribed for promotion from the rank of Chief Inspectors to Deputy Superintendents of Police, as both the ranks are essentially supervisory in nature and there is no radical change in the nature of work and responsibilities when a Chief Inspector is promoted as a Deputy Superintendent of Police.

281. With regard to the system of selection, the Commission are informed by a majority of witnesses that the present system of selection through specially constituted selection boards is generally satisfactory, but the Bihar Police Association is of the view that uniformity of standard is not ensured. The Association appears to be essentially opposed to the present system of nominations and suggests that all those who have put in a certain period of service should be considered by a Central Selection Board. The latter part of the suggestion has been accepted by the Commission and they further recommend that for promotions from the rank of Inspectors to Chief Inspectors and from Chief Inspectors to Deputy Superintendents, a departmental selection board presided over by the Inspector-General of Police should consider the claims of such officers who have put in the qualified period of service and have also passed the required qualifying examination. For promotion of

constables to Head-constables, the board should be presided over by the Superintendent of Police and the board for promoting Assistant Inspectors and Head-constables should be presided over by the senior most Deputy Inspector-General. The recommendations of the selection board constituted for promotion to the rank of Assistant Inspectors and Inspectors should be referred to the Police Service Commission for concurrence and that of the board constituted to select for promotion to the rank of Chief Inspectors and Deputy Superintendents of Police to the State Public Service Commission for similar advice. The Commission hope that this procedure of selection should give the maximum satisfaction to all ranks.

282. As these selection boards will be greatly influenced by the records of the officers, the Commission consider it necessary that the records of Maintenance of personal records. service should be properly and fairly maintained. All rewards and punishments should be carefully entered in the service books and always be kept up-to-date. With regard to the confidential character rolls, the Commission are of the view that the form should be related to the nature of work which should be uniform as far as possible and should provide for assessment under a number of specified headings as well as a general summing-up. The present arrangement of the immediate superior officer writing the confidential report may continue, but the next higher officer should be required to exercise a positive and independent judgment on the remarks of the reporting officer and to express clearly his agreement or disagreement with those remarks or assessment. The Commission are pained to observe that the manner in which these remarks are sometimes recorded is not conducive to good morale, nor does it ensure a healthy condition of service. Great care must be exercised and the initiating officer must show the remarks that he has recorded to the officer reported upon before he despatches it to the next higher officer. It is gathered from the evidence of the Bihar Police Association that this procedure will give satisfaction to the members of the force as at present adverse remarks have not been communicated to the affected officers in a number of instances. The Commission feel that the procedure proposed above would not only remove the present grievance but should ensure that remarks are carefully, correctly and objectively recorded. At present, the remarks on Deputy and Assistant Superintendents of Police are routed through the District Magistrate and the Commissioner. The Commission are of the view that as the recording of remarks in the confidential character rolls has a direct bearing on the discipline and morale of the force and as it also requires the reporting officer to have very intimate and personal knowledge of the work and conduct of the officers reported upon, the District Magistrates and the Commissioners need not be required to record their remarks on the work and conduct of the officers subordinate to the Superintendent of Police.

B. INCENTIVE AWARDS

283. The system of incentive award is quite old and can be traced to the institution of the thanadari police in 1793 when a reward of Rs. 10 was given to every Daróga for apprehending a dacoit but the reward was paid after the dacoit was convicted. The Darogas were also entitled to a commission of 10 per cent on the value of property stolen which they could recover provided the culprits were also apprehended and convicted. These rewards did not provide adequate incentive and Sir John Shore had noticed in 1835 that even the most gallant conduct displayed by a police officer was passed over without notice. When the police force was reorganised, consequent upon the recommendations of the Indian Police Commission of 1860, a system of good conduct pay was introduced. This system was later considered unsatisfactory by the Indian Police Commission of 1902-03 and the latter recommended the recognition of good conduct by good service entry in the character roll, good service stripes and monetary rewards. The present scheme¹ of rewards consists of good service marks, parchment certificates and rewards in cash and kind. These rewards are to be given for

exceptional keenness, skill, courage, honesty or hard work. During the British regime, the titles went a long way to add to the incentive and a good police officer who rendered loyal service was almost certain to get recognition either in the shape of a title or decoration. Now, the titles have been abolished and there are two police decorations, namely, the President's Police and Fire Services Medal awarded either for gallantry or for distinguished service, and the Police Medal also awarded either for a gallant act or meritorious service. Recently, the Prime Minister's Medal for life-saving has been instituted.

284. The witnesses are of the view that the present system of incentive award is satisfactory. Their only anxiety is to ensure that the awards are given to really deserving officers. The Bihar Police Association and some senior police officers are of the view that no uniformity exists in the scales of rewards and quite often the scales vary from district to district according to the standards set by individual officers. Some witnesses have suggested that accelerated promotion for some distinguished service should be included in the scheme of reward; 10 per cent of the fines realised by courts in police cases should be distributed as reward; the existing financial limits of a Superintendent, a Deputy Inspector-General and the Inspector-General of Police should be raised, and money rewards should also be given to the ministerial officers. A few witnesses have, however, pointed out that the present system of rewarding is mechanical and does not provide the necessary incentive. They seem to be of the view that most of the rewards are given in a routine manner and without adequate scrutiny of the nature of the work done.

285. The Commission are in agreement with the views of the majority of the witnesses and do not recommend any change in the present system which should apply to all officers of and below the rank of Inspector. The Chief Inspectors, apart from the decorations may be awarded parchment certificates. Among the decorations, the Commission suggest that the Prime Minister's Medal for life-saving should form part of a regular decoration in order to give impetus to this important aspect of police work. The Commission also recommend that a new decoration should be instituted for long service and any police officer including a constable who has a clean service of 20 years should automatically receive this decoration. As titles are out of place in a democracy, they cannot obviously be revived but the Commission are of the view that the recent decorations that have been instituted for eminent public men should not be denied to policemen as they have not been denied to army personnel. The Commission have already accepted the suggestion made by some witnesses that out of turn promotion for exceptionally creditable service should provide an effective incentive. An annual certificate for general proficiency should be granted to the officer who maintains a clear record during the year and parchment certificates should continue to be awarded for meritorious work. Among the rewards, the Commission would suggest the inclusion of rewards in kind, like a gold watch, to be awarded annually for the best all round investigation after properly assessing the investigation work of officers in every district. Before any such reward is recommended, the Superintendent of Police would be well advised to consult the courts which had occasion to deal with the cases for the investigation of which the reward is to be awarded. Whenever any work connected with a case is recognised, the order for reward must wait for the final judicial disposal of the case if a charge-sheet has been submitted. The Commission have already recommended while dealing with the subject of financial powers that financial limits for monetary rewards should be raised in the case of the Superintendents, Deputy Inspectors-General and the Inspector-General of Police.

CHAPTER XXI

MORALE OF THE POLICE FORCE

286. Morale is the readiness of any force or service to work enthusiastically and persistently for furthering the purpose and for achieving the objects of the service. It depends on the physical, mental and emotional state of the members of the service and these factors are conditioned by personnel man-management, administrative leadership, political leadership and prestige of public servants in the community. Till recently the import of morale was limited to the enforcement of the punitive aspect of discipline and the provision of some incentive through rewards and promotion.

287. The consensus of opinion among witnesses is that the morale of the police force leaves much to be desired and considerable ground yet remains to be covered. The witnesses have generally blamed the extraneous influences that are exercised on public servants, unsatisfactory method of recruitment and training and poor conditions of service. Inadequate pay and allowances, lack of accommodation and some of the modern amenities and over-work due to inadequate staff have been said to be primarily responsible for low morale. One Professor has added that the morale of the police force is low on account of indiscriminate criticism of the police in the press and unreasonable and unsympathetic behaviour of superior police officers. A former Judge of the Patna High Court is of the view that the morale has suffered due to the tendency of letting down the force where strong measures are required to control a serious law and order situation. Some members of the Parliament and the State Legislature are of the view that apart from the unsatisfactory conditions of service, particularly of the lower ranks, the one important factor that has adversely affected the morale of the police force is the lack of public co-operation. The point of view of the officials has been conveyed by some Inspectors-General of Police who think that uncharitable and, sometimes, malicious criticisms of the members of the force, and the lack of adequate protection, even if it is well deserved, have undermined the morale of the force. Some senior police officers have neglected their routine work of supervision and inspection with the result that the efficiency of the force and, consequently, its morale has been prejudicially affected. The Bihar Police Association has ascribed the inadequacy of pay and the lack of amenities as being responsible for the lowering of the morale. Indiscriminate punishments and whimsical rewards have shaken the confidence of the force in their superior officers and their sense of loyalty and obedience have warped under the influence of political pressure. Such are also the views of this Association. A retired Inspector-General of Police who was the first Indian to be appointed to such a post feels that the qualities of truth and sense of duty are not adequately inculcated in the members of the force and, therefore, there is a lack of zeal and enthusiasm. One senior member of the Indian Civil Service is of the view that security, confidence, fair deal and the feeling that good work, regardless of people and persons involved, should be recognised and good friendly relations between the members of the service and different ranks should contribute greatly to the morale of a force.

288. The Commission, while concurring generally in the views of these witnesses, are in no doubt that an important requisite for a sound morale is proper management of the personnel. It includes recruitment, training, terms of employment, working conditions and relationship between the superior and subordinate ranks. The Commission have already recommended the setting up of a Police Service Commission to deal with matters connected with the junior police services. This Service Commission should inspire confidence and remove the suspicion with which the present system of recruitment, promotion and disciplinary control is generally viewed. The delay in the disposal of personal cases, which is always an important cause for the lowering of the morale of any service, should be removed.

Suitable steps have been suggested to improve the standard of training and appropriate recommendations have also been made to satisfy the demands for better emoluments and retirement benefits, adequate opportunities for promotion, well organised welfare activities, improvement of the housing condition, provision of adequate strength and some other basic needs required for the promotion of physical, mental and emotional well-being of the members of the force. The Commission are confident that with the implementation of these recommendations, most of the causes that contribute towards the lowering of the morale will disappear, but full benefit will not accrue if proper administrative leadership is not available. Witnesses have informed the Commission that there is lack of *esprit de corps* and the treatment meted out to subordinate officers is not always just and sympathetic. In a democratic set-up, the demand for administrative leadership is more exacting and it is necessary to reorientate it if it is to suit the needs of administration in a welfare State. The present day administrator needs a broader vision, a higher capacity to inspire and to lead, and more readiness to consult subordinates, to delegate powers to them and to take lively human interest in the welfare of the force. These qualities are in addition to the capacity of hard work and of taking quick decisions, the maintenance of high standard of integrity and devotion to duty, the mental stamina to face boldly the administrative problems, and a sense of fairness in dealing with the subordinates. On account of a sudden depletion of some of the superior police cadres after Independence, accelerated promotions were unavoidable. It was but natural that the officers prematurely called upon to lead the force at various levels lacked maturity and experience and as some of them have continued to officiate in higher ranks almost indefinitely, they also lack the necessary confidence. It is not surprising that some of these officers, who till recently formed the bulk of the supervisory ranks could not provide that leadership which the force required in a democratic set-up although there is also no doubt that they admirably filled the breach at a time of crisis. The Commission are informed that gradually the cadres are getting stabilised and the supervisory officers generally have the necessary experience and maturity. The Government of India have taken some steps to revitalise the training of officers recruited in the Indian Police Service. While dealing with the subject of training, the Commission have suggested that the Deputy Superintendents of Police and the Chief Inspectors, who will hold key appointments in the police set-up of a district, should be given adequate training in personnel management and leadership.

It is also necessary that all supervisory police officers constantly gauge the upsurges, particularly of the subordinate ranks which in a disciplined force cannot obviously be very vocal. The Commission are informed that the institution of Police Sabhas has adequately served the purpose of providing an appropriate forum for ventilating genuine grievances of a collective nature. It is hoped that this purpose will now be served by the Police Council which the Commission have recommended for every district and police unit. Grievances of individuals should continue to be heard and disposed of in the orderly rooms. The research in personnel management recommended by the Commission to be undertaken by the proposed Police Service Commission should be able to fill the gaps and also ensure the well-being of the force.

289. The morale of the services in general bears the evidence of the influence of public opinion which is bound to be vocal and strong in a democratic State. In a Parliamentary Democracy, which is yet in its infancy in India, the relationship between the public servants and the leaders of public opinion has not yet forged towards an ideal adjustment. Instances have been brought to the notice of the Commission of the aggressive and unreasonable attitude which they sometimes adopt in their dealing with public servants. This attitude is ascribed partly to some suspicion that prevails about the trustworthiness of public servants, partly to the prevalence of the rather low standard of integrity in certain branches of the administration, and partly to the delays and inefficiency in the disposal of administrative work. There is no doubt that inefficiency or delay on the part of a public servant provokes interference by non-official agencies and often compels members of the public to resort to

irregular methods for getting their work done either efficiently or expeditiously. There is also no doubt that some people try to exert political pulls and pressure, directly or indirectly, upon public servants in order to secure some favourable treatment and the Commission agree with the witnesses that growing and widespread meddlesomeness of some people in the day-to-day administration has shaken the morale of the public servants after Independence. How best should public servants and leaders of the people adjust themselves is a delicate subject, particularly when the pattern of administration has remained almost the same, though it has suddenly become more responsive to public opinion at all levels. In the absence of tradition, this responsiveness has yielded to extraneous influences and interference in matters of transfers, postings, promotions, etc. The Commission may find it to be beyond their competency if they attempted to prescribe a code of conduct which would govern the people in their dealing with public servants in general and with police officers in particular. They also appreciate that a public servant in the present set-up cannot afford to act like his predecessor who, before 1947, was too rigid in his outlook. A public servant in a democracy must have a broad outlook and a flexible mind with the avowed purpose of ensuring justice and fair play in all his actions and always being truthful. He must develop the necessary fibre to resist temptation which may draw him away from his path of duty. An efficient and effective police force should give such satisfaction to the people that the latter should not feel compelled to adopt irregular and dubious methods for the realisation of their legitimate objects. In securing the desired adjustment between the members of the force and the representatives of the people, the political party in power has to play its role by taking steps to prevent political interference in administration. The Commission note with satisfaction that some steps have been taken already and, some improvement noticed, but there is still room for a more congenial adjustment between the leaders of public opinion and the public servants.

The prestige that a public servant enjoyed before transfer of power was based on such pillars which must crumble in a democracy. The prestige that he should build up now should have a surer foundation reinforced by integrity, courtesy and complete absence of aggressiveness. The Commission hope that with the proposed reorganisation of the police force, its members will gain the trust and confidence of the people and, in return, the people will respect the force and concede to its members the prestige which their colleagues in England enjoy. The Commission also hope that an improved and renovated police force will act as a most reliable brake on the existing tendency of indulging in ill-informed and sometimes malicious criticisms of the force and its individual members. In America where the Constitution has been given to the people as in India, it has been said that there is some lowering in the morale of the Services unlike in England where democracy has grown with the passage of time. Commenting on the morale of public servants, Cyril Falls, Chichele Professor of the History of War, Oxford has appropriately observed with regard to the damage that is done by uninformed and unhelpful criticism. He says :—

“Moreover, while British officers who have come under criticism are covered by the representatives of the Services in the Parliament and dismissed, or at least reprimanded, when they cannot be excused, their senior American counterparts have to face cross-examination by Senatorial committees. Perhaps, too, ours have been happier in the task of reconciling the need for discipline with modern ideas. At present there could be no question in this country (England) of a military committee sitting at the Ministry of Defence reporting to Field Marshal Lord Alexander that a serious drop in the standard of discipline had occurred...

It is one (discipline) which must be faced and solved in the spirit of the times. No good can come from lamenting that this is what it is or comparing it unfavourably with that of half a century ago. Whether good or bad, it exists, and it must influence conduct. Nor can the junior officer and N. C. O. use means to maintain or restore discipline which have not the sanction of military law

and the regulations in force. If their political chiefs play to the gallery, the only help for that is for the professional heads of the Services to give them the clearest possible warning of the results. Cases may be found in which such warning has been disregarded, but they are not common. In general the political chiefs come to recognise that they bear a heavy responsibility for the welfare of the Services which they represent and that they may do untold harm by courting an easy popularity with those who cannot appreciate the danger. It may prove to be as fatal to let the discipline of a fighting Service slip as to let its equipment and weapons become obsolete or neglect its tactical training.”¹

Uninformed criticisms cause great damage to the morale of the force and the Commission consider it necessary that both the press and the people should develop such conventions as would discourage ill-informed or ill-deserved criticisms of the force or its individual members. For preventing ill-informed criticisms, it is necessary that the people and the press are informed timely about the activities of the police, both their achievements and failures. If unfair and malicious criticisms of the members of the force still persist, the Commission are in no doubt that they will get adequate protection against the sweeping accusations and unsupported charges. In a developing democracy, the need for a proper understanding and mutual respect between the people on the one side and the police on the other can never be overemphasised.



1. Cyril Falls "A Window on the World on Military Discipline".

CHAPTER XXII

UNIFORM, CLOTHING, ORDNANCE

A. UNIFORM AND CLOTHING

290. Uniform has been prescribed from very old times for all forces of law and order and especially for the armed forces. The uniformity in dress inculcates discipline, promotes *esprit de corps* and makes a body of men smart and attractive. In the olden days, the uniform was so elaborate as to attract recruits readily to the army but as time has progressed, uniform has been designed to suit the nature of duty that is to be performed and the climate in which a force has to live and operate. The Indian Police Commission of 1860 had recommended that suitable inexpensive uniform should be prescribed for all grades of the police. They were of the view that uniform should be worn on all occasions and should be provided to all officers below the rank of Inspector at the cost of Government. A proportionable deduction was to be made at the discretion of the District Superintendent of Police for any misuse of an article of uniform. It was the intention of the Government that the uniform should be just sufficient to mark police officers as public officials on duty. It should not contain anything peculiar to catch the eye or to feed the vanity of the wearer. The Indian Police Commission of 1902-03 were against prescribing the same uniform for constables throughout India on account of difference of climate, variations in temperature and habits of dress. The uniform worn by the police, however, followed closely the military pattern. The badges of rank, the design and the colour of uniform were more or less the same as worn in the army. Up till 1940, there was hardly any difference in the uniform—rank for rank—between the Infantry of the Indian Army and the Indian Police. This was mostly due to the tradition that was set by the army officers, some of whom were drawn into the police. The militarised uniform and equipment of the police force also helped the police, particularly after the Mutiny of 1857, to act as a garrison army. Since then both the equipment and uniform of the police have continued to be militarised.

While all officers including Inspectors and Sub-Inspectors of Police were allowed both an initial grant on recruitment for purchase of various items of uniform and a periodical maintenance allowance, Sergeants, Assistant Sub-Inspectors, Havildars and constables were allowed free issue of all items of clothing and equipment and their periodical renewal without any cost. The life of every article of clothing or equipment was prescribed. A fine could be imposed or the cost recovered for any wilful misuse. This system has been continued. The lower ranks of the military police units have the free services of washermen. No washing allowance was sanctioned for any other branch of the police. The Central Pay Commission of 1957—59 have recommended that a washing allowance should be granted to all officers of the Central Government provided with uniforms and drawing a pay of Rs. 150, or below, per month. Accepting this view the Commission have recommended that where followers have not been sanctioned, a washing allowance of Rs. 2 per month should be allowed to constables.

291. The Commission have considered carefully whether it was necessary to make any radical change in the uniform worn by the police. The opinion of the witnesses appears to be well divided on this point. Some are of the view that the uniform of the police is much too military in character and as policemen are civilians in uniform, it need not follow the military pattern. On the other hand, several witnesses including the Inspector-General of Police, Bihar, do not consider it necessary to make any change. The Commission agree with the latter view as any material change in the uniform would be unnecessarily expensive and the Commission are of the opinion that there is nothing very seriously wrong with the

uniform that is worn by the police. The distinction now between a police uniform and a military uniform is so clear that it is unnecessary to prescribe any change. The army have changed the colour of their uniform from khaki to olive green but the police have retained the khaki. Some witnesses have suggested that either it should be white or blue. White would be too expensive and the blue uniform will not be an improvement. The Commission, therefore, are of the view that khaki is an appropriate colour for any force in a tropical country and should continue to be the shade of the police uniform. Some witnesses have also suggested that the colour and the design of the uniform worn should vary from rank to rank so that the distinction is clearly maintained. The Commission do not agree with this view and in a democratised police force all ranks should wear the same design of uniform with only slight variations to indicate the different ranks which should be marked more by the badges of rank than by the design or colour of the uniform.

292. The uniform prescribed for the various ranks of the police force is detailed in Appendix 65 of Volume III and Chapter XXXIII of Volume I of the Police Manual. The various changes that have been brought about from time to time under the orders of Government, particularly in the matter of head wear, and badges of rank, have not yet been incorporated in the rules. Assistant Sub-Inspectors, Sub-Inspectors and Inspectors have now been prescribed certain badges of rank. Formerly, they wore only shoulder letters. The Commission concur in this change but do not agree with the suggestion made by the Bihar Police Association that the ribbon that is worn with the stars on the shoulder should be removed. If this is done there will be no distinction in the turnout of these officers and that of the officers of the rank of Deputy or Assistant Superintendent and Superintendent of Police. This will cause confusion and the present system which follows the Army Regulations should continue. There are other changes that have also been prescribed. Rules have, therefore, to be recast to bring them in line with Government and Police Orders that have been issued on the subject in recent years. In Appendix IX, the Commission have indicated slight variations from the existing headgear that is worn, keeping in line with the recent orders on the subject. Except for ceremonial occasions for certain ranks and units, the Commission agree that the pagri is now an expensive anachronism and should be replaced for the constabulary by berets and for officers of the rank of Assistant Inspector and above by peak caps. The Commission do not propose any change in the body wear of the Bihar Military Police (Special Armed Police), and the District Armed Police but recommend that the new cadre of unarmed constables and Head-constables should wear cellular military pattern shirts and slacks instead of blouses and shorts. Many witnesses including the representatives of various ranks whom the Commission interviewed complained that the ammunition pouches were much too large in size and should be replaced by the old ammunition pouches prescribed for the District Armed Police. The Commission agree with this view. Many did not like that Munda shoes should be issued to unarmed constables and have also suggested that the armed police personnel should be given gym shoes once every nine months. They have asked for the Munda shoes to be replaced by ammunition boots without studs and that woollen socks should be issued with them to the entire constabulary. The Commission accept these suggestions and recommend that they may be prescribed for their uniform. They also urged that the constables in the armed police should be allowed three pairs of shorts and two pairs of slacks instead of two of the former and only one pair of the latter as at present. Since shorts are to be worn frequently, the Commission agree that the scale of their issue should be raised to three. As for slacks for the armed police, they are to be used only when they go out on night patrols. This will be more the exception than the rule and no change is required. As for the constables and Head-constables of the unarmed police, the Commission recommend that shorts should be replaced by slacks and each constable should be issued four pairs of slacks. Some witnesses also suggested that the uniform for the constabulary should be made to size in order to fit every constable and it should be fabricated in the police lines. This may not be desirable as the pattern may vary but since the post of tailor constable is entertained in every district, every constable should be properly

fitted with uniform and as in the army the uniform should continue to be fabricated in the standard sizes that have been prescribed. The uniform of the traffic police needs no change and the new uniform recently introduced is suitable and the only alteration that they have to suggest is that the blue band worn on the pagri should be replaced by a white band. If pagris are found to be expensive and at the same time unpopular, they should be replaced by red berets. The Commission do not accept the recommendation made by a sub-committee of the Inspectors-General conference that stop signals should be carried by traffic constables on point duty while directing traffic. They consider it to be most unsuitable and the traffic sleeves with red band as at present prescribed are suitable and distinctive.

293. As for the rates of uniform allowances, the Commission examined this matter carefully and are of the view that no change is required. The scales were revised not a very long time ago and in view of the fact that the uniform is now less elaborate than what it used to be, there is no justification for recommending any increase in the scale of allowances.

294. The present system of indenting uniforms is fairly elaborate. A Central Committee is set up at the police headquarters every year under the orders of the Inspector-General. This committee examines the tenders of various firms quoting for the supply of articles of uniform and equipment. After the contractors are selected, every district or unit is allowed to indent uniform or equipment according to requirement. Several witnesses have complained that there is considerable delay in obtaining supply and there is also some irregularity in the payment of bills. The Uttar Pradesh Police Reorganisation Committee, 1948, recommended the establishment of a Central Store. The Commission after a careful consideration concur in this view and recommend that such a store be set up at the headquarters of a battalion of the Special Armed Police. The Inspector-General of Police agrees in his evidence that the setting up of a Central Store would be of advantage but on account of cost he suggests that the present system which has no serious drawback should continue. The Commission, however, are of the view that a Central Store could easily be established without much extra cost and the Commandant of a battalion with his existing staff and with the addition of only one or two quarter-master officers drawn from the districts could undertake this work. This will facilitate in indenting uniforms and making payments and preventing irregularities. The units and districts could then send escorts with their indents for the issue of uniform and equipment. There will be considerable saving in this scheme on account of freight and man-power. It will ensure that bills are paid promptly and the close supervision of the Commandant will prevent any irregularity. The Central Store could be easily located in the B. M. P. V lines where the necessary accommodation is already available.

B. ORDNANCE

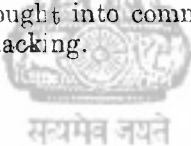
295. The Commission have no recommendations to make with regard to any change in Equipment. the scale or type of equipment provided to the police.

296. There was considerable discussion with regard to the scale and type of armament sanctioned for the police. The Commission have carefully examined this question and are of the view that the present scale of armament sanctioned for the military police units to be called the Special Armed Police requires no change. A suggestion was made that they should be issued with mortars. The Commission do not accept it. As regards the District Armed Police, the Commission are of the view that Mk. I, II or III rifles of .303 bore is much too powerful and lethal a weapon to be carried by the District Armed Police which has to operate only against unlawful assemblies formed sometimes in built-up areas by misguided people. The range of such a weapon is so long that innocent people, far away from the scene of operation, sometimes fall victims to police firing. Several witnesses have suggested that these rifles should be replaced by the old musket of .410 bore. Some, however, are of the view that this is an obsolete weapon and as it is not fitted with a

magazine, it is wholly unsuitable. The Commission accept the view that the rifle of .303 bore may continue to be used as suggested to the conference of Inspectors-General in 1956, by the Inspector-General of Police, Bihar, but that the charge of the ammunition for such rifles to be used by the District Armed Police should be reduced so that its range is also reduced. The Commission have been informed that some experiment has already been undertaken and if it has been successful, the charge of the ammunition for Mk. I, II or III rifles prescribed for the District Armed Police should be reduced without further delay. Such an arrangement will also facilitate imparting of training in musketry to the personnel of both the Special and the District Armed Police.

297. The Commission are of the view that the District Armed Police and the Special Armed Police units should each have a tear smoke squad.
 Tear Smoke Squad. It is not necessary to sanction a separate squad in the Special Armed Police units for every company should have one of its sections fully trained in the use of tear smoke weapons and ammunition. Every district should have a separate section of the striking force fully trained in the use of tear smoke and the necessary equipment should be provided.

298. The opinion of the witnesses seems to be divided with regard to the use and the size of the lathi. The Commission consider that the present regulation size that has been prescribed for the police is appropriate but are of the view that the police must be taught in a more systematic manner the use of the lathi. At present this part of the training is both haphazard and defective. The lathi and the tear smoke are such weapons that if properly used, and in time, should obviate the necessity of having to resort to the opening of fire on many occasions. It has also been suggested that the police personnel should be made so physically tough and mentally balanced that they should lean more and more on the lathi and the tear smoke than on the rifles and their bayonets for dispersing an unlawful assembly. The psychological approach, the physical toughness and the facility with which the lathi and the tear smoke can be brought into commission will all come by well planned intensive training which is at present lacking.



CHAPTER XXIII

RURAL POLICE

296. The village watch, also now known as the Rural Police, is an ancient institution and has survived, through the ages the vicissitudes of times, revolutions, wars, conquests and unprecedented political changes. References have been made to the village watchman in Sukra-Niti-Sar, the Code of Manu, the Artha-Sashtra of Kautilya and the various contemporary documents of the Mughal and the British periods of History. The watchman was the servant of the community, responsible for watch and ward and for assisting the Village Headman in ensuring peace in the rural areas. It was also his duty to keep an eye on strangers and make efforts for the recovery of stolen property. The revenue system of the Mughals destroyed its municipal character and this ancient institution got merged in the establishment of the Zamindars.

In 1793, the Zamindars were divested of the responsibility for maintaining the King's peace, their police establishments were disbanded, and the authority over the village watchman was transferred to the Daroga. It is significant, however, that the nomination of a candidate was still left in their hands. In 1813, Regulation XII provided for the maintenance of chaukidars on a monthly salary to be paid on the realisation of tax from local residents. The dependence of the village police on the community was never disturbed.

Although no statutory change was made between 1817 and 1870 in the village police structure, it always received considerable attention, particularly when any question of police reform was examined or even considered. Gradually, the Zamindars began to avoid their responsibility to fill the vacancies of chaukidars and often appropriated their service land. In April, 1854, the Sadar Court decided that an obligation lay upon a Zamindar to fill a vacant chaukidarship but it was difficult to enforce this decision and the Zamindars continued to impair this institution. The Police Commission of 1860 examined in detail the village police organisation. Although the Rural Police was found by that Commission to be wholly inefficient and scarcely trained and equipped to preserve law and order or prevent crime, the Commission recommended its retention mainly on the ground that the organised police could not be sufficient without some reliable agency in the rural parts. They further suggested that the local and popular character of the village watch should be preserved, it should be rendered efficient for local police service, and a suitable legislation enacted. The village watchman was bound to obey the orders received from the organised police and the duty of supervision of the village police in all their public duties devolved on the District Superintendent of Police to enable him to secure a regular performance of those duties and of making the village watch a useful supplement to the organised constabulary. These recommendations were incorporated in the Police Act (V of 1861). Due to the indifference of the Zamindars and for want of supervision, this institution, however, failed to improve and at one time, the Government seriously advised to scrap it and to garrison the country with an organised subordinate constabulary. But this proposal was considered idealistic, unpractical and expensive. It was in 1870 that the Village Chaukidari Act VI was passed and the Panchayats were empowered to fix the strength of the chaukidars, subject to the limitation of two men for 150 houses and one for every 100 houses. They were also to determine the chaukidars' rates of pay and assess the chaukidari tax, collect it and then pay the chaukidars. The pay was not to be below Rs. 3 and above Rs. 6. The Amending Act I of 1871 required the chaukidars to give any local information which the magistrates, police or any other office, duly authorised by Government, required. In 1883, a Committee found that the Panchayat had signally failed to ensure a regular payment of salaries to chaukidars and it was only

through constant supervision amounting to harassment, which was against the spirit of Act 1870, that payments were sometimes made. It was also noticed that villagers were reluctant to serve on the Panchayats as the appointment was compulsory, of indefinite duration, unremunerative and exposed the Panches to great odium.

In 1891 the Beames Committee also examined the organisation of the Rural Police. It found that the unsatisfactory condition of the Rural Police was attributable both to the poor material and to the lack of uniformity in the system of payment and of control and supervision. The rates of pay of chaukidars, according to their recommendation, were to be fixed by the District Magistrate, who was empowered to appoint them on the nomination of the Panchayat; the chaukidars were also to be relieved of the duty of reporting vital statistics, epidemics, state of crops; the chaukidari tax was to be collected by the circle officer; and lastly, the Village Panchayat was to be made responsible for reporting crime under section 45 of the Code of Criminal Procedure. An amending Act of 1892 vested the power of appointment and dismissal in the District Magistrate who was also empowered to determine the number and the salary of the Rural Police.

The Police Commission of 1902-03 greatly emphasised that the village police "ought not to be separated from the village organisation and placed under the regular police". They re-affirmed that the village police officers should be regarded as a village servant and as a subordinate of the headman, whose office was to be held by hereditary right. The Commission also advocated a liberal system of rewarding village watchmen promptly and publicly.

In 1905, a Chaukidari Manual was compiled, in 1911, the circle system was introduced, according to which Sub-Deputy Collectors were sent to selected subdivisions to control and guide the presidents of the Panchayats. In 1913, the District Administration Committee recommended that the principle of dual control over the village police, as it existed then, should continue but the police control over the chaukidars might, in the course of time, be abolished with the development of the circle system. In 1947, the Bihar Rural Police Re-organisation Committee, set up by the present Government, favoured the continuance of the chaukidari system, reduction in the strength of the chaukidars by 30 per cent in order to find the funds to raise their pay, replacement of the present personnel by a better type, abolition of the post of dafadars, abolition of the chaukidari tax and taking over of the expenditure on account of the Rural Police as a burden on the State Exchequer. It also recommended abrogation of the dual control of the Panchayat and the Magistracy-cum-Police and recommended that the Superintendent of Police should be vested with the powers of appointment and all disciplinary control. Government did not consider it advisable to abolish the post of dafadar as there was then no other agency through which the work of the Rural Police could be supervised. It is impossible for the officer-in-charge of a police-station to make his supervision effective in distant areas. The present pay of the dafadar is Rs. 17 and that of the chaukidar Rs. 15 inclusive of the dearness allowance.

The above is briefly the history of the Rural Police in Bihar. The Village Chaukidari Act is the foundation of this organisation. The Rural Police in Chotanagpur, however, is governed by the Chotanagpur Rural Police Act of 1888 and the Chotanagpur Rural Police Act of 1914. The Rural Police of the Santhal Parganas is organised under the Rural Police Regulations of 1910. The system of Rural Police in this district is complex. The Ghatwal system which existed in Deoghar Subdivision disappeared with the abolition of zamindari and now the chaukidars are paid by the Government. In the Damin areas, the police functions were exercised entirely by the parganaits under the direct supervision of the Sub-Divisional Officers and the regular police had no jurisdiction. In 1953, a regular police system was introduced, but the parganaits continue to exercise powers to investigate certain cognisable offences of the type which come under the jurisdiction of the Gram Panchayat under the Bihar Panchayat Raj Act, supervision being exercised by police officers of the

rank of Deputy Superintendent and above. The chaukidars work directly under the parganais. In some areas of the State, the Bihar and Orissa Village Administration Act, 1922, governed the management of the Rural Police, but with the introduction of Gram Panchayats, this Act is getting obsolete. A scheme has been prepared for integrating the Rural Police with the Village Volunteer Force of the Gram Panchayat. The Bihar Panchayat Volunteer Force Rules, 1949, contemplate the exercise of the power of general superintendence, direction and control over this volunteer force by the Superintendent of Police and other police officers of the gazetted rank. There is a proposal to organise a watch and ward committee to assist and advise the Mukhiya in the organisation and management of the Village Volunteer Force. This committee will be expected to organise anti-crime patrols and watch on bad characters, and to assist the police in reporting cases.

300. Almost every witness has unhesitatingly said that the Rural Police constituted as it is at present leaves much to be desired, but at the same time, the majority of them have strongly advocated the retention of this ancient institution. The defects pointed out by the witnesses are that suitable persons are not recruited, they are not well-paid, their strength is inadequate and their services are misused. Suggestions have been made that able bodied and literate persons should be recruited and put through a short course of training. They should continue to be part-time employees as otherwise it will be very expensive. Some senior administrators are of the view that this rural agency should be replaced by an organised constabulary. This suggestion cannot commend itself to the Commission on grounds of expenditure and the fear that village constables in remote areas will not be amenable to effective supervision and may turn out to be oppressive and irresponsible. Also, a village constable will not inspire confidence and cannot draw local support which is so necessary. It may be recalled that for identical reasons, similar proposals sponsored in 1838 and later in 1865 were not accepted by Government. The Commission, therefore, reiterate that policing of the rural areas has to be based on the community and, if anything, the necessity of this agency is more keenly felt after the disappearance of the Zamindars. It should, therefore, be maintained intact and on no account its local character should be affected. Following from it, the Commission would advise a very cautious consideration of the question whether a uniform system of Rural Police should be introduced throughout the State. In view of the fact that the Rural Police has its roots in the soil of the area and has grown with local traditions and customs any radical change in its character may not be conducive to efficient administration. When the Commission toured the Damin areas of the Santhal Parganas, it was conveyed to them in no uncertain terms that any attempt to introduce the modern system of administration will be regarded by the local inhabitants as complete annihilation of their culture and tradition. It is true that diverse systems do not make for efficiency, but in view of the above considerations, it would not be advisable to force any system. Steps have been taken already to introduce in a graduated manner the modern system of police administration and the Commission hope that as soon as the Gram Panchayats acquire firm roots in the Damin areas of the Santhal Parganas and the tribal areas of Chotanagpur, it may be possible to effect gradual changes in their Rural Police system also. For the present their traditional systems of Rural Police should not be violently disturbed.

301. It is necessary to improve the system of recruitment and training of the chaukidars. To start with, undesirable elements should be weeded out from this organisation and no one should be recruited who is not able bodied and literate. The Bihar Rural Police Reorganisation Committee recommended that suitable chaukidars should be considered for appointment as constables. The Commission endorse their recommendation. The chaukidars at present are not trained at all. The Commission consider this very unsatisfactory and desire that they should be

trained in watch and ward duties and in the resistance drill for fighting dacoits. They must also be taught how to preserve a scene of crime. It may be quite useful to allow the chaukidars to participate in some of the training programmes prescribed for the members of the Village Volunteer Force. It is not necessary to supply firearms to them. Bhalas or garansas should continue to be the standard weapons for the chaukidars. They may be encouraged to keep bows and arrows. As regards their uniform and pay, it has been brought to the notice of the Commission that the supply of uniform is most irregular and their salaries are always in arrears. The Commission do not propose any change in the existing type and scale of uniform but desire that its supply should be regular. Regarding the pay, the Commission strongly recommend that the payment of salaries to chaukidars should not be dependent on the collection of chaukidari tax. At present Government pay from the State Exchequer a certain portion of the salary amounting to over Rs. 45 lakhs and do not co-relate such payment to the collection of the chaukidari tax. While it is necessary to continue the system of imposing the chaukidari tax, it is not necessary that payment of salary should be made only after the tax is collected. The payment of the entire salary should be made from the police budget.

302. The legal duties of the chaukidars are defined in section 39 of the Village Chaukidari Act, 1870, and in rules 153 to 163A of the Chaukidari Manual. Rules 110, 111 and 112 of the Police Manual prescribe how the thana police should utilise them for collecting and disseminating information about crimes, criminals and breaches of the peace. The various police duties of the chaukidars appear to the Commission to be in order. The chaukidars should no longer be utilised for reporting births and deaths. The duty of collecting the chaukidari tax is to be transferred to the Gram Panchayats which should receive assistance from the chaukidars in this work. The chaukidars should not be employed for the collection of land revenues as a separate agency for this work exists. It appears from the evidence laid before the Commission that the services of chaukidars are often misused. Rule 161 of the Chaukidari Manual which strictly prohibits the employment of chaukidars as private servants or in menial capacity should be strictly enforced.

303. It has been strongly pressed by most of the witnesses that the present strength of the chaukidars is grossly inadequate. There were **55,715 chaukidars** in 1912, and 55,823 in 1940, but in 1949 it was reduced to 39,279 as suggested by the Bihar Rural Police Reorganisation Committee, 1947 although the population figure since 1912 has almost doubled itself. Suggestions have been made that there should be at least 60,000 chaukidars for the whole State, that there should be one chaukidar for 500 to 1,500 persons or one for 60 to 120 houses. In view of the financial commitments of the Government and the increase in the expenditure on the Rural Police, the Commission are unable to recommend any increase in its strength. In order to make up this deficiency the only possible alternative would be to integrate the Rural Police with the Village Volunteer Force so that the Volunteer Force and the Rural Police can, between them, discharge efficiently all the functions connected with the prevention of crime by efficient patrols and detection of crime as well as the reporting of crime to the Gram Cutcherry as also to the police-station. The Village Volunteer Force affords an excellent material and while maintaining its separate entity, it should collaborate fully with the Rural Police in the prevention of crime and in the maintenance of peace. The Commission will explain later in this chapter how this integration can be effected. The Bihar Rural Police Reorganisation Committee, 1947, had recommended that the posts of dafadars should be abolished and Government had indicated that this question would be considered later in 1953. The Commission recommend that a firm decision should now be taken and no vacancy in the rank of dafadar should be filled. Necessity of this supervisory post will not exist after the integration of the Rural Police and the Village Volunteer Force which has in the

Chief Officer a well constituted supervisor. Also, the immediate supervision of the Rural Police will be entrusted to the Mukhiya in the contemplated scheme of integration.

304. Even though the Bihar Rural Police Reorganisation Committee, 1947, had recommended the abolition of the system of dual control exercised by the Panchayat and the Magistracy-cum-Police and the Government had accepted it,¹ the system

has continued due to some legal difficulties. The Commission have been informed that Government have decided already to amend suitably the Village Chaukidari Act, 1870, the Chotanagpur Rural Police Act, 1887, and the Bihar and Orissa Village Administration Act, 1922. The proposed amendments may be undertaken without any further delay. While complete disciplinary control should remain exclusively with the Superintendent of Police, it is also the desire of the Commission that the Rural Police should function under the effective operational control of the Gram Panchayat. The control of the Gram Panchayat can be smoothly introduced by entrusting all the duties and responsibilities of the "Panchayat", as defined by section 3 of the Village Chaukidari Act, 1870, to the Gram Panchayat established under section 3 of the Bihar Panchayat Raj Act, 1947. The Gram Panchayat can also be entrusted under section 13 of the Village Chaukidari Act, 1870, to impose a yearly assessment for raising the chaukidari fund, to revise or review the assessment so made and to collect assessments timely under the direct control of the District Magistrate or the proposed Prakhand Samiti. The Executive Committee of the Gram Panchayat may also be empowered under section 35 of the Village Chaukidari Act, 1870, to nominate a person to be a chaukidar under the said Act and if satisfied with such nomination, the Superintendent of Police will appoint him as a chaukidar. The Mukhiya of the Gram Panchayat may also be delegated powers of inflicting minor punishments including the imposition of a fine and there shall be no appeal against an order inflicting a minor punishment. The Commission have examined the scales of punishment prescribed in Section VIII of the Bihar Chaukidari Manual. It is the view of the Commission that the scales of punishment and the procedure for awarding punishments require suitable revision and this work should be entrusted to a departmental agency. The Commission would also like to emphasise the importance attached to the scheme of rewarding of chaukidars. Rewards are the only incentive to these poorly paid part-time village officials and when they do good work, they should be rewarded freely and adequately and publicly in case of outstanding work. The Mukhiya can also be empowered to grant suitable rewards for good work. Item 10 of section 39 of the Village Chaukidari Act, 1870, requires the chaukidars to obey the order of the Mukhiya in regard to keeping of watch within his village and matters connected with his duties as chaukidar. Rule 162 of the Bihar Chaukidari Manual requires the chaukidars to assist the Panchayat in the collection of the chaukidari tax and obey all lawful orders given to him by the Panchayat. While entrusting the Mukhiya with the immediate supervisory control over the chaukidars, the Commission do not contemplate any relaxation of the control exercised on this rural agency by the thana police. The chaukidars will continue to be amenable to the control of the officer-in-charge and other police officers as at present. Section 39 of the Village Chaukidari Act, 1870, and rules 156, 158, 163 and 163A and 232 of the Bihar Chaukidari Manual should continue to govern the control of the thana police on the chaukidars. In order to avoid a clash between the thana police and the Gram Panchayat, the Commission refer to rule 233 of the Chaukidari Manual. This rule requires the police to be acquainted with the Panchayats in their jurisdictions and to seek the assistance of the Panchayats in the performance of their duties and should not treat the Panchayats as in any way subordinate to the police. This healthy rule, if enforced properly, should be able to ensure the desired relationship between the Gram Panchayat and the thana police.

1. Government Order No. C. H.—30-49 P-63, dated the 5th January, 1951.

305. It has already been indicated that the Commission desire an early integration of the Rural Police and the Gram Panchayats. Under section 11(i) of the Bihar Panchayat Raj Act, 1947, the responsibility for fighting burglaries and dacoities is included as one of the compulsory duties of the Gram Panchayat. Section 26 of the said Act creates a force of all able bodied males of a village between the ages of 18 and 30 years. Rule 16 of the Bihar Panchayat Volunteer Force Rules, 1949, requires every member of the force to assist in the maintenance of peace and tranquillity within the Panchayat. Sub-rule (2) of rule 16 enumerates the various duties of this force and the important ones are prevention of crime, protection of life and property, suppression of disorders, reporting and checking of rumours likely to disturb the peace and various other non-police duties. Rule 24 makes it lawful for the District Magistrate assisted by the Superintendent of Police or such other officer as may, from time to time, be appointed by the Government to exercise the power of general superintendence, direction and control over the force within the district. Rule 25 empowers all police officers of the district of the gazetted rank to inspect the force and send their inspection note to the District Panchayat Office, and the Mukhiya. This force is under the immediate control of the Chief Officer who is required to comply with the orders issued by or under the instruction of the Mukhiya. He is required to prepare a chart of the duties required to be performed by the members of the force. Section 30 of the Bihar Panchayat Raj Act requires every Chief Officer of the Village Volunteer Force to obey and execute all orders and warrants lawfully issued to him to collect and communicate intelligence affecting the public peace and to prevent the commission of offences and public nuisance. It is lawful for him to arrest without a warrant any person having in his possession without lawful excuse an implement of house-breaking and also to arrest without warrant any person reasonably suspected of possessing stolen property or of having committed an offence with reference to that property. The Chief Officer is further required to exercise such powers and perform such other duties as may be conferred or imposed on him by the Government from time to time. It would thus appear that every Gram Panchayat has at its disposal a very potential force and the Commission are strongly of the view that the fullest use must be made of this force, without introducing any change in its legal character or in that of the Rural Police. The control that can be exercised by the Mukhiya on behalf of the Executive Committee of the Gram Panchayat has already been examined. In order to ensure that the Village Volunteer Force and the chaukidars work hand in hand in organising anti-crime patrols or tackling any law and order situation, it is necessary that the Chief Officer is given sufficient supervisory powers over the chaukidars. He should be required to keep a bound note-book containing names of the villages in the Gram Panchayat, the names of the chaukidars, the names of all criminals over whom he may be required to exercise surveillance and the names of absconders. The entries in this note-book should be brought up-to-date once a month by the thana police. He may also be made responsible for proper performance of duties by the chaukidars and any negligence of duties on the part of the chaukidars should be promptly reported by him to the Mukhiya. He should pay surprise visits to the patrol beats and, he should be frequently associated with the chaukidars and members of the Village Volunteer Force in performing watch and ward duties. He should be held responsible for the reporting of the movement of certain classes of bad characters, strangers and wandering gangs, for timely information of the likelihood of a breach of the peace, for the arrest of absconders and for information regarding them. He should promptly convey such information to the Mukhiya and also direct the beat chaukidars to communicate it to the police-station. In each Gram Panchayat, the Mukhiya will maintain a register of bad characters as is done in the Southern States. This register is called the "Known Depredators' Register" and is maintained by the Village Magistrates. Visiting police officers should always consult this register to find out the whereabouts and movements of criminals. The Chief Officer should be required to visit police-stations once a month and on this day he will carry a diary which should contain

information known to him about crime and criminals and about the work of the chaukidars and the general law and order situation. He will also carry a monthly statement of criminal cases entertained and disposed of by the Cutcherry of the Gram Panchayat. The statement will enable the police to maintain correct statistics of the incidence of crime. The duties enumerated above can be performed by the Chief Officer without introducing any change in the Bihar Panchayat Raj Act as sub-section (3) of section 30 of the Bihar Panchayat Raj Act, 1947, empowers the State Government to confer on the Chief Officer such powers and impose on him such duties as considered necessary. The Commission are also of the view that criminals restricted under section 565 of the Code of Criminal Procedure, and the proposed Habitual Offenders' Act may also be required to report their movements to the Mukhiya who will get appropriate entries made in the above "Known Depredators' Register". The Commission understand that a watch and ward committee will be organised in every Gram Panchayat for assisting the Executive Committee in supervising the work of the Village Volunteer Force. The Commission recommend that the duties and responsibilities that may eventually be imposed on the Gram Panchayat for supervising the work of the Rural Police may be discharged by the watch and ward committee which is to consist of one member of the Executive Committee as its Chairman and one representative of each village. This committee may also be entrusted with the collection of the chaukidari tax under section 22 of the Village Chaukidari Act, 1870 and should exercise, under section 41 of the same Act, a general control over the chaukidars with the object of ensuring the regular performance of the duties of watch and ward by them, and the regular reporting of all occurrences and facts of which information is required from the chaukidars under the law and the rules. The Mukhiya may also require this committee to perform the following duties :—

- (a) to cause the commission of a cognisable offence to be reported to the police-station through the chaukidars and, on the failure of the chaukidars, through the Chief Officer or a member of the Village Volunteer Force;
- (b) to communicate to the police-station, with the least possible delay, any information of the existence of disputes likely to lead to a serious riot or affray and which the Gram Cutcherry does not feel competent to handle;
- (c) in the event of a likelihood of a breach of peace, to proceed to the spot and to endeavour to prevent a disturbance with the help of the Chief Officer, Village Volunteer Force and the Rural Police;
- (d) to discharge the responsibility imposed on the Headman or the Mukhiya of a village under section 45 of the Code of Criminal Procedure; and
- (e) to maintain the bad character register and such other records and registers as may be necessary for the proper discharge of these statutory duties and responsibilities.

306. In the proposed integration of the Rural Police and the Village Volunteer Force, the question of the appointment and the disciplinary control of the Chief Officer needs consideration. At present he is appointed by the Executive Committee of the Gram Panchayat. The Commission recommend that he should be appointed by the Chairman of the proposed Prakhanda (Block) Samiti, who should convene a selection board consisting of himself as the Chairman, and the Mukhiya of the village making the nomination, the officer-in-charge of the police-station, one or two other members of the Prakhanda Samiti, to be nominated by the Chairman, and the District Panchayat Officer as members. The Mukhiya will continue to exercise complete disciplinary control as he does at present but an appeal against his order will lie to the Chairman of the Prakhanda Samiti. Since the Chief Officers have to perform numerous police duties and have to exercise control over the Rural Police, it is also essential that the Superintendent of Police must consider them

to be important Village Panchayat functionaries. He must take interest in their work and training and at the same time should exercise some control. The Commission, therefore, recommend that just as the Mukhiya is to be given limited disciplinary powers over the Rural Police, the Superintendent of Police should also have limited powers of punishing a Chief Officer. In the first instance, if the officer-in-charge of the police-station finds that the Chief Officer has not been discharging his functions efficiently, he should report the delinquency to the Mukhiya. If the Mukhiya fails to punish him, he can report the matter to the Superintendent of Police who may inflict minor punishments and his orders will be final or request the Chairman of the Pramandal Samiti to take necessary action. The dismissing authority will, of course, be the Chairman. At present the Chief Officer works in an honorary capacity and is rewarded by the Director of Gram Panchayats for some specific good work. As the proposed integration will make him a very responsible officer, a monthly salary of Rs. 25 should be paid to him from the chaukidari fund. The Mukhiya will submit the pay roll to the Superintendent of Police and necessary funds will be placed every month at the disposal of the Mukhiya for disbursement of the salary or reward to the Chief Officer. The pay rolls will be returned to the office of the Superintendent of Police after the payments are made. The latter should be empowered to recognise good work of the Chief Officer and members of the Village Volunteer Force by granting liberal rewards.

307. It has been the anxiety of the Commission to ensure that the autonomy of the Gram Panchayat is in no manner affected prejudicially by the proposed integration except to the extent unavoidably necessary. The Commission have, therefore, exercised meticulous care in ensuring that the present control of the Mukhiya and his Executive Committee on the Chief Officers and the Village Volunteer Force is not modified. On the other hand, the Commission propose to vest in them sufficient control over the Rural Police and the supervisory control on chaukidars is also to be vested in the Chief Officer. The officer-in-charge of a police-station will always seek the assistance of the Gram Panchayat in accordance with rule 233 of the Bihar Chaukidari Manual and it shall be his responsibility to see to it that the bad character register maintained in the Gram Panchayat is frequently consulted by the visiting police officials and is also kept up-to-date. The officer-in-charge of the police-station will, however, continue to exercise his present control on the chaukidars and it is only desirable that his authority to suggest the manner in which the anti-crime patrols should be organised and to indicate the bad characters who require to be watched, is in no way fettered. His guidance should be treated as the advice of an expert and should not encroach on the autonomy of the Gram Panchayat and its officials who should be treated with all the respect due to such functionaries. The Commission hope that the officers-in-charge will, while touring within their charge, contact the Mukhiyas, treat them with respect and discuss with them measures for the prevention and detection of crime and the maintenance of the peace.

308. As regards the training of the Village Volunteer Force, training teams should be formed with the assistance of the regular police and the Home Guards who should visit Panchayats by rotation so that the village volunteers are properly trained in watch and ward duties and in resisting dacoits. This course of training should be over and above the initial training that is to be imparted by the Gram Panchayat Department.

309. The proposed integration will work smoothly in the areas covered by the Village Chaukidari Act, 1870, and the Chotanagpur Rural Police Act, 1888. The Commission do not propose to introduce this scheme of integration in the Damin areas of the Santhal Parganas. In these areas, the scheme has to be introduced gradually and cautiously in order not to upset the indigenous system violently. In course of time, the Gram Panchayats should take roots and the hereditary system will become more and more out of date. The existing orders issued by Government with regard to the duties of the parganaits should continue to be in force and will only be abrogated when the parganaits get fully replaced by the Gram Panchayats.

CHAPTER XXIV

CORRUPTION

310. "Corruption is a consequence of the way of life of an acquisitive society where people are judged by what they have rather than what they are. The possession of material goods appears to have become the *sine qua non* of life."¹ In the present society there is but a feeble feeling of revulsion against either the bribe giver or the bribe taker. The cancer of corruption seems to have grown in almost every walk of life and the vicious circle that has been set in motion has created a major sociological and administrative problem. Corruption in the services has roots deep in history and a policeman due to the peculiar nature of his duties has frequently to face several pitfalls. Some fight them successfully, some others fail to do so and a few plunge into them. They are generally exposed to peculiar temptations and it must be said to their credit that in spite of these temptations and pitfalls quite a number do not succumb to them. The criminal, the gambler, the dishonest liquor vendor, the prisoner and all those who try to defy the laws of the land or make an effort to escape from the penalty of the law are ever ready to pay a price and only a strong sense of duty and much stronger character help a policeman in resisting any such overture.

311. One gets some idea of a clean administration in ancient India. The accounts of foreign travellers like Meghasthanese and Hiuen-Tsang testify to a clean, peaceful and harmonious life. During the period of the Moghul rule and subsequently there is evidence to indicate that the officials at the lower levels were generally corrupt. The Kotwal, the Thanadar and the Village Headman if they failed to recover any stolen property were subjected to considerable humiliation and were compelled to make good the loss to the victim. The first casualty in such an inherently defective system was integrity in administration and the police gradually assumed the role of the oppressor. The same picture is presented during the early period of British overlordship. In the earlier days of the East India Company, its services including the police were notoriously corrupt. Efforts were made frequently by the British Government to overhaul the system of administration through various committees and commissions that were set up from time to time. While improvement in the higher services was most marked, the subordinate services continued to be neglected in respect of recruitment, training and emoluments. Sir John Shore said that a Daroga had an unmanageable charge and was overworked. He was, therefore, compelled to delegate his powers and duties to his subordinates and all these afforded opportunity for corruption. He also thought that absence of reward for good behaviour and good conduct was responsible for poor morale and when the Daroga was appointed he came with the preconceived opinion that certain perquisites were attached to his job. Corrupting influences on the Daroga were frequently exercised even by good people in order to get a favourable decision or to get a matter overlooked. It was impossible to expect a man to work for Government on a salary and with an expenditure double his legitimate income. The Police Committee, 1838, therefore, recommended increased salaries. The reorganisation of the Indian Civil Service with very high and attractive emoluments and filled by men of education and culture helped to make the superior services incorruptible. Even in the police there was a distinct improvement and officers appointed through open competition either in England or in India showed a remarkable sense of integrity. The lower ranks, however, never got the attention that they deserved.

1. Dr. P. S. Muhar's article on "Corruption in the Police".

The Indian Police Commission of 1902-03 found that there was no improvement in the situation and the department was still steeped in corruption. The second chapter of the report of this Commission contains the full concurrence of the popular condemnation of the police as "dishonest and tyrannical". It was pointed out how constables extorted money when making enquiries in their beats, when investigating cases and by arresting respectable people for committing nuisance; how Head-constables and Sub-Inspectors levied fees for all acts done in their official capacity; how every investigation yielded a rich harvest to the police conducting it; how complainants, witnesses and accused were bullied to what the police wished them to say and how an enquiry into a case resulted in the harassment and annoyance of all the decent people in the village. The extent of corruption found by the predecessor Commission was mostly in the rank of Sub-Inspector and Circle Inspector. The Government of India did not fully concur in this finding and felt that the picture had unnecessarily been heightened. The Government also observed that what was called corruption was a little more than that system of paying expedition money which at that time was not unknown in Europe. Several senior policemen of the nineteenth century agreed with the observations made by the Government of India and felt that the universal condemnation of the police force was a result of the deep prejudice against it. Major-General Fendall Currie in his book entitled 'Below the Surface' thought that the force was regarded with so much suspicion that it was enough to make most men dishonest. Men would not long submit to being thought corrupt, without reaping some of the advantages of corruption. Another verdict on the extent of corruption in the police would be found in the Report of the Corruption Enquiry Committee, Bihar, 1937. This Committee examined this problem in great detail, ascertained the various circumstances in which money passed hands and suggested a number of remedies. Some of the recommendations of this Committee have been incorporated in the Police Manual. The Committee felt that for rapid improvement in the moral tone or usefulness of the force, it was necessary that supervising police officers, particularly the Superintendents of Police, were relieved substantially of their desk work by reorganising the department so that they were left free to tour in their jurisdictions extensively. The position today, however, is much worse and the Superintendent of Police is getting more and more tied to his headquarters which coincide with a big town or city where the problems become so explosive that they require constant attention. The general remedies for removing corruption were categorised as educative, preventive and punitive. The Committee also recommended the introduction of a system which would require every office to maintain a complaint book.

Any upheaval in the shape of war or pestilence brings in its wake corruption and chicanery and as a result of the Second World War which was followed by very unsettled conditions in India, the problem became greatly aggravated. Inflationary conditions encouraged corruption and then the period of control and the resultant blackmarketing did not help in making the administration clean. The sense of moral values is always the first casualty in a war. The position in India could not get stabilised quickly due to several causes including the partition of the country. The level of prices rose unprecedentedly and caused so much of scarcity of commodities that controls had to be introduced. Before the administration could get stabilised, the strength of the services was considerably enlarged and thus supervision got more and more remote. The extent of corruption has, therefore, to be judged against this historical background.

One of the important devices adopted by the predecessor Government to minimise the opportunities for corruption was to make the functions and responsibilities so divided that favouritism would require the collaboration of not merely one employee but the conspiracy of a number of such persons. This is how a complete scheme of checks and balances was introduced but the subordinate police, poorly paid and exercising plentiful of power, could hardly be expected to run straight. Even before any check could be imposed it was, perhaps, too late.

312. There is complete unanimity among the witnesses on the point that corruption exists in the police and judged by its traditional and historical background, it survives as an inveterate disease defying all administrative measures that have been adopted from time to time to tackle this problem. A well informed and enlightened witness who has done some research in this regard favoured the Commission with his views. According to him any force like the police could be divided into two sections. The first section can be easily called the 'decision apparatus' and the other is the 'submission or the procedural apparatus'. While the former takes the decision, the latter attends to procedure and is responsible for execution. He thinks that there is far more corruption in the 'execution apparatus' than in the 'decision apparatus'. This is the line of evidence laid before the Commission by a very large number of witnesses including officials and non-officials, Legislators and the Convener of the Bharat Sewak Samaj. The witnesses have, however, not offered any concrete picture of the extent and nature of this malady. Majority of the witnesses are of the view that the force in the lower ranks is affected with this malady and the infection is also noticed in the rank of Deputy Superintendents. The State Convener of the Bharat Sewak Samaj holds that the direct recruits in the higher ranks are "cent per cent honest". The general impression seems to be that the incidence of corruption is considerable in all ranks up to the Inspector of Police, it is fair in the rank of Deputy Superintendents of Police and almost insignificant in the rank of Superintendents of Police. This picture is also supported by the witnesses representing the State Anti-Corruption Department and the Commission have no reason to arrive at any different finding with regard to the extent of corruption in the force. Whereas the Commission note with satisfaction that the administrative ranks of the police force are free from blemish, they have felt distressed to learn that there are streaks of corruption, even though negligible, noticeable in the rank of Superintendent of Police. The prevalence of corruption in other ranks seems to have very deep seated roots in the history and traditions of the force. The Bihar Police Association has stated that corruption as it exists in the ranks of the police force can compare favourably with its growing extent and volume in some other departments of the Government. This, perhaps, may be a correct appraisal of the problem of corruption in the public administration but hardly any satisfaction can be drawn from it as people are apt to feel more alarmed at the incidence of corruption in the custodians of law and order. The corruption of a policeman cannot but be more intolerable because of the greater opportunities of oppression and extortion which his police powers afford and also because of the intimate connexion which he has with the life of every individual.

313. On the question whether corruption has increased or decreased in the police, opinion of witnesses appears to be sharply divided. The two opposite views are that the incidence of corruption has increased and that there has been some decrease on account of the growing consciousness of the people and abolition of vested interests. A third view is that as some other departments of Government are now as corrupt as the police, corruption in the police is almost static but it has ceased to be the focal point of public alarm. The Bihar Police Association is rather positive that during the last decade there has been substantial reduction in the incidence of corruption in the police on account of the recruitment of more educated persons in the subordinate ranks, the enforcement of various anti-corruption measures including compulsory retirements and criminal prosecutions and growing vigilance on the part of the people. This view has been shared by a number of senior police officers. The Anti-Corruption Department also accepts that corruption has decreased in the police on account of the growing public consciousness, improved educational and cultural background of officers now recruited, growing realisation of the need to check this evil in some superior ranks, efforts of the Anti-Corruption Department and decentralisation of administration in the rural areas. It is also their view that oppressions and extortions are rather rare and, more often, the bribe giver is a willing party to

the transaction. Some judges, lawyers and members of the State Legislature and a senior police officer are not prepared to accept the above statement and have informed the Commission that corruption in the police is on the increase.

In the view of the Commission it is not of much practical value to ascertain accurately whether corruption has increased or decreased or is static; so long as it continues to exist, it is a major administrative problem. Witnesses have indicated the various opportunities that are available for resorting to corrupt practices in the discharge of police duties and also, in the internal management of the force. Most of them are so well known that the Commission do not consider it necessary to recapitulate them, but they would like to emphasise certain laxities noticed particularly in the matter of accepting presents and utilising the services of orderlies for domestic work. In the past they were not considered as a corrupt practice but in a democracy it is necessary that the superior officers must set a high standard. Corruption, however, should never be judged in the narrow sense and from the evidence that is available before the Commission it is clear that when some witnesses have said that there is decrease in corruption they have averred to the fact that there is very much less of extortion, concoction and manipulation now than before. It may be that the force of public opinion and a vigilant press and a still more exacting Legislature may be responsible for a comparatively more satisfactory situation. The Commission, however, are of the view that there is room for further improvement.

314. Stringent steps have been taken during the last few years and the more important are the creation of the Anti-Corruption Department, Causes and remedial measures. the enactment of the Prevention of Corruption Act, the compulsory retirement of corrupt officers and the activities of the Anti-Corruption Wing of the Bharat Sewak Samaj. They have, however, not made much impression on the situation as corruption seems to permeate the whole society in one form or the other and it has yet not been possible to break the vicious circle. It has been said by many witnesses that lack of supervision by superior officers is another important contributory factor for the continuance of this evil. While no less than 104 police officers were retired compulsorily in the last seven years and a large number of proceedings drawn up against corrupt and inefficient officers, the problem continues to defy solution. The Commission are of the view that the cause is not only departmental but sociological and the remedies have primarily to be found by the country.

The main causes leading to corruption in the police can be summed up as follows :—

- (i) Traditional.
- (ii) Environmental.
- (iii) Procedural.
- (iv) Financial (economic).
- (v) Lack of public condemnation.

(i) History shows that the tradition of corruption in the police is deep seated and certain forms of corruption have come to be accepted by the society as harmless. This has been a very dangerous feature. For example, giving a tip to a policeman for recording certain information is not generally considered as an offer of a bribe. It is still a matter of greater concern that the society cheerfully tolerates a public servant who supplements his legitimate income by unauthorised and illegal gratifications. Even parents and relations

expect that a public servant earns what is commonly called "outside income". This kind of tradition has to be broken and one of the steps that has already been taken in the police to prevent corruption in the recording of entries in the station diary at the police-station is a step in the right direction. Every two hours, irrespective of any information having been received or not, an entry has to be made in the station diary to indicate the passage of time and prevent it being kept blank to suit an entry to be made at an 'appropriate time'.

(ii) But of all the factors that has had the greatest impact on the life of the public servants, especially in the rural parts is the environment in which they have to live and work. The Barkandazes during the days of the East India Company performed both revenue and police functions and although appointed to give protection to the people they almost acted like freebooters. While the state of affairs, according to the evidence available before the Commission, has improved considerably, there is still a persistent complaint of how the corrupting influence of the people around the police-station and of some of the officials of the police-station themselves pollute the environment. It has been said that the main seat of corruption in the police has been the police-station, from almost medieval times but the environment that is being bunt around the various offices even today is always detrimental to a clean administration and it is according to many witnesses not a new feature in this history of evil. The Commission have attempted to make the departmental environment a little clean by suggesting a hierarchy in the police-station where duties should not overlap and those amongst them who create a vicious atmosphere do not get the upper hand. The officer-in-charge of a police-station is to be a bigger man of the rank of Inspector and he is to have a contented staff with duties clearly defined. His charge is to be smaller so that he has not to use his subordinates for any kind of work which they may not be competent to perform because of their training and emoluments. His rank and pay should give him the necessary confidence and pride in his work and it may be expected that the Inspector should be able to rise to the occasion and live down the unhealthy traditions a little more effectively. The Police Commission of 1902-03 also held that the influence exercised by the Circle Inspector who was next above the officer-in-charge left much to be desired. The evidence before the Commission to a great measure falls in line with this view. The Commission are, therefore, convinced that the first supervisory officer must bring to bear upon the police-station staff a very healthy outlook. It is for this reason that the Commission have recommended the creation of the post of a Chief Inspector of gazetted rank so that there is no vicious pressure on the police-station staff from up above.

(iii) The Commission attach a great deal of importance to the procedure that is adopted for the disposal of work at the various levels. Gaps in the procedure and its defects have to be removed. It has been alleged before the Commission that there is a certain amount of corruption at the police-station level due to unauthorised and unwarranted arrests, biased investigations resulting in dishonest preparation of records and faulty procedure in the matter of transfers, postings and appointments. Many witnesses have stated that a police officer gets an opportunity in his official capacity to accept illegal gratification while recording entries in the station diary; recording of first information reports; arresting or threatening to arrest a person without sufficient evidence; making inaccurate notes of the place of occurrence; writing or submitting of case diaries with delay on purpose; closing of the investigation and submission of final forms, either a charge-sheet or a final report, not warranted by the real facts of the case; delaying execution of warrants and processes; testing fitness of sureties; submitting inaccurate reports under sections 107 and 144 of the Code of Criminal Procedure; forwarding papers with delay in connexion with applications for bail; despatching exhibits for expert examination with delay; dealing with traffic and gambling offences in an irregular manner; causing harassment to drivers and owners of public vehicles; maintaining dossiers of criminals and dealing with gun licence petitions; conniving at smuggling of contraband articles like *ganja*, and last though not the least, not giving a faithful version of the statements of witnesses either for the defence or the prosecution and selling the case diaries.

The Commission being aware of the existence of corruption in relation to the items mentioned above have already discussed most of them at their relevant places but desire to emphasise the following. The station diary has to be recorded two hourly whether any report is received or not. The drawing up of the first information report has to be witnessed and a copy thereof and of the entry in the station diary invariably made available to the informants as soon as they are drawn up. Arrests are not to be made on flimsy grounds and it shall be the duty of the superior officer while supervising the investigation to scrutinise the reasons for every arrest that is made and to record specifically the reasons for each arrest. A sketch map to scale has to be prepared of a scene of crime indicating all relevant features and showing the position of witnesses from where they are alleged to have witnessed the occurrence. Case diaries are to be prepared in two parts and a copy sent immediately to the nearest magistrate and superior police officers who will record the date and time of receipt. All diaries are to be despatched by name in sealed covers. Investigations are to be more intensively supervised by a bigger circle officer with a smaller charge. Delay in execution of warrants should be carefully examined by inspecting officers. Testing fitness of sureties should devolve on agencies other than the police; reports under section 107 or 144 of the Code of Criminal Procedure are to be scrutinised by the circle officer and reports under section 144 should be increasingly initiated by the Gram Panchayats. Case diaries must accompany the escort party escorting the accused to the magistrate's custody. Better class of policemen are to be employed on traffic duty and the town out-posts are to be reorganised. The traffic department is to be reorganised in order to institute effective checks on public vehicles. The maintenance of dossiers should be the concern of the officer-in-charge of a police-station and gun license petitions under the new Arms Act need not be examined in the manner they are done at present by the police. The Commission expect that the steps that have been suggested above should go a long way to prevent corruption but as has been alleged if the supervision is lax nothing much can be achieved. It is for this reason that the Superintendent of Police is to be afforded a second officer so that he can tour more extensively within his charge and prevent laxity and at the same time be readily available to hear complaints. It is also expected that the Chief Inspector's supervision over the work in the police-station would be productive of more good than evil. It is therefore essential that the circle officer, namely, the Chief Inspector who is in the first line of supervisors must be a man above reproach. Corruption sometimes gets unconscious impetus from superior officers of the rank of Superintendent and above, as subordinate officers who are corrupt are clever enough to indulge in a common trick with them to make themselves indispensable to their superior officers. They quickly spot the weak points in the latter. For example, officers keen on shikar or entertainment or public meetings readily find their subordinate officers arranging them sometimes to the detriment of their work. Having gained the confidence of their superior officer they indulge in all kinds of malpractices. The superior officers must guard against this contingency.

The standard of investigation should improve with better and bigger officers, fully trained, being posted to police-stations. The strengthening of the supervisory ranks with smaller jurisdictions should make both the work of supervision and inspection more intensive and exacting. Nothing can be achieved unless both the quality of work of the basic rank and of the first line of supervisors improve. Much has been said by many witnesses that there is considerable corruption in the police lines with regard to transfers, postings and leave. The Commission desire that the supervision in this respect by the Superintendent of Police himself and his second officer, namely, the Assistant or the Deputy Superintendent, should become more intensive. The reorganisation of the police office should make their control more immediate; with a smaller charge and the separation of the armed police from the unarmed police, the cycle of transfer would be much easier. At present the constables generally try to avoid a posting to the District Armed Police and in this process, there is a considerable amount of irregularity. All this will be obviated once the armed and the unarmed police are separated. The Commission also expect

that the complaint that there is a certain amount of corruption in the offices at various levels, will be removed, once the duties of the supervisory ministerial officers are well defined and they are adequately paid. Many witnesses, however, have said that if supervision were made more intensive and if the superior officers were to set a better example, the position would by itself improve to a degree. The Commission are in agreement with this view and have striven to reorganise the force in such a way that the extent of corruption is brought down to the minimum by improving the calibre of both those who are responsible for execution and for supervision. The police have to bring offenders to justice and offenders do not only include robbers and murderers but also the corrupt. They have therefore to play their role well and they cannot do so if they do not develop a sense of horror against those who are corrupt. There is evidence to suggest that superior officers are not always ruthless, which they should be, when dealing with corrupt officers and they are prone to slurring over delinquencies which come to their notice in a vague manner. The Commission desire that the Superintendents of Police should start with immediate effect a personal file with regard to every officer, wherein he should note both the merits and the demerits of an officer and if he gets an information about a corrupt practice he should make up his mind how to deal with the information and should make an effort to bring the allegation to its logical conclusion either by an open investigation or a secret enquiry. His second officer, who will be invariably of the rank of an Assistant or Deputy Superintendent should be encouraged to report to him freely every information that he gets. The responsibility of the Chief Inspector should also be properly fixed in this regard and if he is keen to detect any gap in the investigation or preparation of records, things should improve by themselves.

(iv) Poverty is the cause of many evils and it is often said that those who are economically backward more easily fall victim to temptation. That corruption is not a monopoly of the poor is also equally true. There is, however, no doubt that if one does not get a living wage and has pressing demands on one's purse it has a profound influence on one's character and the weakness becomes all the more visible when one is given considerable power to exercise. One should not forget that power corrupts even in a higher status of life and much more at the lower levels. The average pay of a constable inclusive of dearness allowance is about Rs. 65 per month while the wage earned by even an unskilled labourer is seldom below Rs. 90. The wage earner generally lives with his family and in a large number of cases the wife and the children also earn. On the other hand, the constable who comes from a higher stratum of society has to maintain a higher standard of living and also to maintain two establishments. The salary that he gets cannot be called a living wage. The Commission have, therefore, recommended an increase in his pay and improvement in the conditions of his service. Similarly, the Head-constable, the Assistant Inspector, the Inspector and the Chief Inspector are to get the status and pay in accordance with the magnitude of their task and the pay-scales that have been recommended are the very minimum that they should get if they have to be given a sporting chance to ensure clean administration. It is, however, true that higher salaries alone will not ensure integrity in police work. The Commission are firmly of the view that both in the educational institutions, where a person spends the formative stage of his life and at the training institutions, there should be a comprehensive course on ethics. India has had a heritage which seems to have been forgotten. Plain living and high thinking was the motto of the people in ancient times. There is evidence to indicate that most of the officers live beyond their means and if this tendency is allowed to grow, whatever pay they might get, it would never be found to be sufficient. It should be the duty of the departmental superiors to see to it that the officers live well within their pay and learn how to cut the coat according to the cloth that is available. Inflationary conditions no doubt make the situation more difficult. The Bihar Police Association, in its memorandum, has shown how difficult it is for an officer of the rank and status of a Sub-Inspector of Police to meet all his demands. There is much logic in this argument

and it is for this reason that the Commission have recommended substantial increase in the salaries of officers of that level. The Commission, however, desire that a Service Association should not only stand for the rights and privileges of its members. They express a hope that an Association which has a fairly long history of service should be able to inculcate in its members a sense of pride in their work and conduct so that they can keep their heads high when dealing with those who offend against the law.

(v) It has also been said before the Commission that while people are not prepared to tolerate the bribe taker, the bribe giver is considered to be but a victim of circumstances and not only is he tolerated but he receives sympathetic treatment. How far this attitude is correct is questioned by many witnesses. The bribe giver generally gets a decision swayed in his favour even though the facts and circumstances may be against him. He really exercises the most corrupting influence on the police. Sometimes he acts as an agent provocateur or gives away the bribe taker when his bribe giving does not strike the bargain to his satisfaction. Law punishes the bribe giver as much as the bribe taker but of late the bribe giver seems to have got some dispensation and section 8 of the Prevention of Corruption Act, 1947, exempts a bribe giver from prosecution under section 165A of the Indian Penal Code if his offence is disclosed in a statement that he makes as a witness for the prosecution of a public servant charged with bribery and corruption. The propriety of this provision of law may, perhaps, be questioned and several witnesses have expressed the view that corruption has not by any means been controlled by it. Some witnesses have said that this new provision of law induces the bribe giver to act without fear and when he is caught he can himself turn a witness although he might be primarily responsible for the complicity of the public servant. It is true that Government and the people expect a public servant to be above corruption but it is a matter for consideration whether some kind of a brake should not be applied on the bribe giver who adopts clever subterfuges for influencing a decision of a public servant. It is also the view of many of the witnesses that bribe taking in cash is not the only form of corruption that a public servant indulges in at present and if corruption in the form of taking presents and accepting lavish entertainment has to be stopped, both the corrupt public servant and the corrupting influence of the other party have to be taken into account. The problem is also sociological and the Commission are convinced that unless a strong public opinion is created and there is ethical bias both in the syllabus of educational institutions as well as the Police Training Establishments, that sense of revulsion against the corrupt will not develop. Corruption in society being a sociological problem has to be tackled in a big way. That a country gets a Government it deserves is a well accepted constitutional theory and a crusade against corruption has, therefore, to be undertaken both by the society and Government.

315. Government's anxiety to deal with corrupt officers is clearly visible in the creation of the Anti-Corruption Department but it has been stated that it is so inadequately staffed and it is not high powered enough to deal with this kind of delinquency. It has also been said that there is a certain amount of demoralisation in the superior officers in dealing with the corrupt officer for the latter sometimes tries to pull strings against them. This is an unsatisfactory feature and corruption has to be dealt with sternly and adequately whatever may be the level and whosoever may be concerned. The Commission recommend that every rank should enjoy the complete confidence of the superiors until such time that the confidence is betrayed and once there is lack of confidence in a particular officer he must be immediately removed from the position of trust. The police have no vigilance wing of their own and it was suggested by some witnesses that as in Uttar Pradesh, there should be an officer of the rank of Deputy Superintendent posted to every district only to look into complaints against police officers. The Commission do not consider such an arrangement essential as it may be an unnecessary and expensive imposition on the Superintendent of Police. They suggest that the problem has to be dealt with

in a planned manner. For this he may need assistance of some trusted officers. The Commission recommend that the Deputy Inspector-General of Police in charge of the Special Branch, who has the necessary resources, should be given a vigilance wing to collect information about corrupt officers and to conduct secret enquiries in order that the delinquents are handed over to him for either stern departmental action or for criminal prosecution. This problem seems to have gripped even those departments of Government which hitherto enjoyed praiseworthy reputation. The Commission recommend that the Anti-Corruption Department should be so enlarged as to cover all the departments of Government effectively and each department should have a vigilance wing under its own head but the work of each such wing should be co-ordinated by the Anti-Corruption Department of Government. The vigilance wing under the Deputy Inspector-General of Police of the Special Branch which is to be called the State Intelligence Department will collaborate with the Central Vigilance or Reforms Department of Government. It may, perhaps, be desirable to change the nomenclature from Anti-Corruption Department to Vigilance Department or to Reforms Department. The position is so serious that the wing should be raised to the status of a regular department of Government.



CHAPTER XXV

PUBLIC CO-OPERATION

316. One of the distinguishing marks of a free country is that men and women who obey the laws that they themselves have made through their elected representatives have nothing to fear from the most important enforcing agency, namely, the police. Whether this attitude has developed in free India is a matter which has been examined by the Commission with great concern. The subject of police-public relations, no doubt, has received attention from a long time, particularly ever since the realisation came that stipendiary police alone without the support of the society cannot fully serve the purpose of preventing or detecting crime. A minute recorded by the Governor-General in October 1815, *inter alia* said, "Whether the (thanadari) institution has proved successful as well as whether the necessity of its permanent maintenance still exists are points which we have now to determine. If it be supposed to have been one of the objects in the contemplation of the Government from the formation of these establishments to have furnished a force adequate to the protection of the community, and capable of undertaking the prevention of crime by its own vigilance, in this respect, the institution must be admitted to have failed. The hired force of a thana is totally insufficient for such purposes. Even in its collective strength it could scarcely venture to resist or pursue a gang of armed robbers and it is numerically inadequate to give individual protection against common theft and burglary beyond its own immediate station."¹ No Government can ever afford to defray the whole expense of a preventive agency unless the aid of the community is available. A police force therefore has to depend not only on its own skill and vigilance but also on the measure of co-operation that it gets from the people it has to serve. The Commission would like to emphasise that the principal support to the police should come from the society itself. A zealous and intelligent policeman may suppress dacoity, destroy or break a gang of robbers, he may successfully prevent affrays and violent crimes which disturb the public peace but the improvements that he may achieve would still be ephemeral and if he has to carry them any further he must fall back upon the good-will of the people and excite in the society that ready willingness to support his lawful actions. The subject of police-public relations has of late exercised the public mind considerably and the police authorities are also conscious of its importance and have been greatly worried over the wall that still separates the people from their police. There is a complete agreement among all the witnesses that have been examined by the Commission that in order to succeed in their task, the police must ensure the willing co-operation of the people. Most of the witnesses have, however, suggested that this is not a one-way traffic and both the police and the public have to take the share of the blame for any lack of understanding. Some of the witnesses have complained that the outlook of the police has yet not changed. Where the police have failed, according to them, is not so much in the matter of control of crime, not even with regard to keeping the peace and maintaining public order but where they have failed is to excite the sympathy of the people and to create their confidence. This is due mainly to their lack of method, courtesy and human understanding. The Inspector-General of Police, Bihar, supported by several witnesses has said that nothing can ensure co-operation more permanently than the efficiency of the force. The Commission wholly agree with this view and wish to add that there can be no short cut to it. An efficient police force even in an authoritarian State might command respect if it is not entirely based on the fear complex. But an efficient police force which acts with sympathy and understanding generally gets the willing co-operation of the people. While the force of public opinion, not to say of the

1. Extract from "A contribution towards a History of the Police in Bengal" by W. R. Gourlay, I.C.S.

various departmental orders and instructions has gone a long way to bring about some change in the attitude of the police, the Commission have been told by many witnesses that the primary reason why the police have erred is that they are generally abrupt in their dealings with the people and frequently casual and sometimes even callous in making arrests and undertaking house-searches. The Constitution guarantees individual liberty to a citizen. The question that some witnesses have asked is, do the police in India ensure this individual liberty and do they not by their acts of commission and omission fail to protect that liberty? The British Police have been quoted by many witnesses, from their personal experience, as an ideal police force which commands the confidence of the people. The reason for this is not far to seek and Professor O. W. Wilson has succinctly summed it up in the following paragraphs :—

“The people in England enjoy the best police service in the world. The best police service is not necessarily the most efficient in terms of low crime and accident rates, of high rates of clearance by arrest, of stolen property recovered and of convictions. These factors must be evaluated in terms of disregard of human rights guaranteed to Americans by the first ten amendments of their Constitution and to the British by their Bill of Rights.

Totalitarian countries might provide more efficient police service, but restrictions on harmless movement, action, conduct, speech and thought; and requirements of registering and reporting changes of residence to the police are too high a price to pay for slightly lower crime rates. The sacrifice of security of the people in their persons, houses, papers and effects against unreasonable searches and seizures; of their protection against double jeopardy; self incrimination, deprivation of life, liberty or property without due process of law; of their right of trial by jury; of their protection against excessive bail and fines; and cruel and unusual punishments; and of the guarantee to each citizen of equal protection of the laws, is exorbitant compensation for a slight increase in the recovery of property, in clearance by arrest and in convictions.”

317. Closely allied to the efficiency attained by the British Police in this respect is their general attitude towards the public and the genuine effort they make to win the friendship of the people by being helpful in matters in which police intervention may not strictly be required by the law. The British Police have a kindly word for everybody and their helpful advice is available to anyone in doubt or trouble. They help the destitute, they assist the troubled parents in tracing the missing child and sometimes even in smoothening out family quarrels, misunderstandings and estrangements. Many years ago there was a popular song in England with the refrain : “If you want to know the time ask a policeman”. To the great numbers of citizens, the most natural person to consult in any kind of trouble or difficulty is the policeman; that solid, unhurried person, who always seems as ready to help a child who is weeping over a lost puppy as to listen to the tale of the woman whose husband is not all that a husband ought to be. Nothing they feel, shocks a policeman, few things surprise him, and his help and advice are generally worth having. Most of the witnesses who have been examined have stated that the police in India hardly come up to this ideal and they have so far depended entirely on the idea that to be effective they must be feared rather than loved by the people. The people try and shun the police and they would not like to go to them if they can help it. The blame for this is entirely not with the police except that the police can certainly have a kind word whenever anyone in difficulty comes to them. They need not be so intemperate and brusque in their manner and where they are most disliked is the very procedure adopted for investigation and trial, which involves a great deal of harassment both to the victims and to the witnesses. The police, due largely to inadequacy of staff almost at every level, are greatly harassed and in that attitude of mind the finer senses generally get subdued. The Commission have suggested measures for making the police force adequate and the charges smaller. They

have also suggested better education and training to police personnel in order that they may develop the same outlook as a London policeman has. There is already a golden rule embodied in the Police Manual, which says :—

“No police force can perform its duties with success unless it can win the respect and good feeling, and secure the co-operation, of the public. To this end, the exercise of forbearance, civility and courtesy towards all classes is enjoined on every rank. Firmness in the execution of duty is essential, but rudeness, harshness and brutality are forbidden and will be severely punished. The superior officers of the police shall not only observe courteous and conciliatory demeanour themselves but on all occasions endeavour to inculcate in their subordinates the necessity of rendering the performance of their duties as little distasteful to the people as possible”.

No apologies are required to quote this rule *in extenso* for it would be difficult to attempt to improve upon it and if the police force comply with this rule both to the letter and in spirit, there is no reason why the Bihar Police also cannot win the co-operation of the people. Every superior police officer must endeavour to ensure implicit compliance with this rule. It has been suggested by some witnesses that superior police officers frequently slur over the delinquency of a policeman in this regard and are generally not prepared to listen to any complaint against their subordinates. This is an attitude which cannot but be too strongly condemned and they must learn to hear patiently and with sympathy every complaint that is made. It is for them to take action that justice and equity would demand. The Commission have also proposed several changes and improvements in the departmental, structural and economic aspects of police administration and are confident that they would herald a new era in the police administration of the State, especially if the police administered the law in a manner that is least irksome to the people. In all his official dealings the constable who is now to be a bigger man and better trained should act as his counterpart in England and really win the affection and respect of the people. The witnesses in a case are sometimes unnecessarily harassed and humiliated. The police must learn to interrogate witnesses objectively; the Public Prosecutors should ensure that witnesses are not harassed due to unnecessary adjournments or unnecessarily low scales of allowances. In short, the police must learn to make their approach correctly and sympathetically. When the policeman is dealing with an individual or a group or a crowd, his approach must be friendly as this is the only way in which he can draw out the best in an individual or group or crowd and can deal with the recalcitrant element more easily. Otherwise, the anti-social elements get the sympathy of the crowd, leaving the policeman with a much bigger problem.

318. Many witnesses have alluded to the factors that determine the attitude of the people towards the police and broadly speaking they are :—

- (i) personal contacts that are established between a citizen and a policeman;
- (ii) what others say about the police;
- (iii) what the citizen observes of the individual police officer; and,
- (iv) newspaper and radio publicity.

Each of these items deserves special notice.

(i) It has been suggested by many well informed witnesses that the police should establish contact with the citizens not only when they are engaged in police duty but also

at other times. Some have advocated the value of *Padyatras*. While this may be overdone, it is essential that when the police go out in the villages in a body they should establish friendly contacts with the people through meetings, popular games and audiovisual shows. Even in their patrolling work for prevention of crime, the police can well combine their efforts with those of the Village Volunteer Force. The Commission have also recommended that the officer-in-charge of a police-station should be a member of the Prakhanda Samiti and should be associated, may not be actively, with the various plans so that he is at least aware of what is happening in his jurisdiction and can appreciate the stresses and strains of any programme meant for the progress of the community. The Commission support the recommendation made by some witnesses that the Superintendent of Police should have the advantage of advice from representatives of the people and this could be well achieved if the District Committee composed of Legislators for dealing with corruption also advises the authorities with regard to police administration generally in the district. Complaints, not necessarily with regard to corruption but with regard to administrative lapses could be brought to the notice by any of its members. Crime exhibitions and police sports also bring the police closer to the people. Opinion seems to be divided with regard to the police taking a hand in building roads and cleaning drains through *shramdan*. This may have some propaganda value but its effects cannot last long and the Commission agree that the police should devote more time to their own work and to promoting better relations when they come in contact with the people rather than to undertaking any such work. They touch the people at so many points that by their behaviour and conduct alone they can win greatly the respect and affection of the people.

(ii) What is most important is what others say about the police. Vox populi, vox Dei—the voice of the people is the voice of God and every policeman has to endeavour in a manner that may make him a true representative of the force and the State so that none can point his finger at him. One wrong act done by a policeman makes good news and it travels like a snowball and tarnishes the name of the whole force. His failure comes to be ascribed as the failure of the force and the Government. In the view of the Commission, every single member of the force should zealously guard the reputation of the force and be careful to earn the good opinion of the people not by propaganda or by courting cheap popularity but by hard, honest, solid work.

(iii) The individual police officer, whether he is directing traffic on the cross-roads or regulating the crowd on a railway platform, or patrolling his beat in a town, is always watched. His turn-out, his demeanour, his behaviour and his conduct generally are critically observed. Every police officer should be fully cognisant of it and if he is, there is no doubt that he will pass the necessary test of public gaze.

(iv) In no small measure is the attitude of the public towards the police fashioned by the newspapers and the publicity agencies like the radio. Opinion again is sharply divided with regard to the manner in which the police should establish contact with the press. Some witnesses have stated that the present Police Manual rule forbidding a police officer to have any contact with the press is salutary and should not be abrogated. Others have said that the police must establish healthy contacts with the press as is done in England. As far back as in 1845, only six years after the Metropolitan Police Force was established in London, the value of press contacts was discovered and the Commissioners of Police established very friendly relations with the editors of responsible newspapers. It was, however, not till 1919 that a Press Service was formed to develop public relations. The Metropolitan Police and the Newspapers' Association met together and discussed the desirability of establishing a central source which could assist the newspapers in checking facts and information. This arrangement now has been greatly expanded and a Public Information Officer has been appointed. The emphasis in the aforesaid designation is on the word 'information' mainly to emphasise that the object of the new appointment was to distribute information and also to avoid the criticism that is generally levelled against Public Relations Officers whose sole

purpose is said to be to praise their departments and slur over their failings. The Press Bureau in the Metropolitan Police is now a sizeable establishment. It has been suggested that a similar Press Bureau should be established at the headquarters of the State under the Inspector-General of Police. The Commission find that Bihar was the first State to appoint a Police Public Relations Officer. It would be as well to change his designation to Police Information Officer and he should have a sizeable staff at the police headquarters where press releases and hand-outs could be easily made out. This bureau should receive prompt information from districts regarding any case or news which may have considerable publicity value and which may attract prominent notice in the press. A regular system of sending information through the police radio grid should be introduced. Where the Commission found opinion greatly divided was with regard to establishing such a bureau at the district level. Some gentlemen of the press suggested to the Commission that the Superintendents of Police and the Subdivisional Police Officers should be allowed to contact the press. While the Commission agree that the Superintendent of Police should be able to hand out prepared press releases to representatives of the press in the district in sensational cases, normally the channel of such releases should be through the State Police Information Officer. It must also be realised that the press has sometimes to publish news which has a topical value and any delay in its publication affects its circulation. The police have, therefore, to fall in line in a manner that no attempt is made to subvert or gag any news. India has a free press. Newspapers may be cautious about creating difficulties for the police administration but the press cannot in fairness be required to subsist on prepared foods. The reporter today cannot be asked to act like an errand boy, collecting doctored accounts kept ready for him but if any release is faithfully and objectively prepared, the press will be only too glad to receive it. Several police witnesses have stressed the inescapable conflict that goes on between the police and the press but this conflict should not be exaggerated nor can it be said to be a conflict of interest for both the press and the police have the common object of serving the people. The complaint and obviously its remedy are closely tied. Though the needs of an efficient police force may be great they cannot over-ride the needs of the press. It is often that the press highlights with success any news which might have been missed or overlooked by the authorities. This is a great purpose that the press serves and one should not forget that the *raison d'être* of a free press in a democratic country is the people's dependence on it to get the news.

Radio publicity has also an important bearing on promoting public relations and a helpful broadcasting system is indeed an a-set to India. The police should learn to make the best use of such a good medium of healthy publicity.

319. It is impossible to deal adequately with the subject of public relations without discussing the telephone which is now being increasingly used by the people. The police should have a well organised telephone system in order to afford the necessary assistance to the people who can be assured of getting it even when a request is made over the telephone. The man who answers the telephone can sometimes make or mar the prospects of good public relations. He must at all times be helpful in his answers. The training in the police institutions should include a short course of lectures in the use of the telephone. It has also been suggested by the Commission in another chapter that in the bigger cities, police telephone booths should be installed in order to facilitate the constable in the beat to get in touch with the police headquarters and it is through the constable in the beat that the members of the public can also contact the authorities. Then again, the police headquarters can communicate easily with the policeman on the beat whenever he is required to go to the assistance of the people. The Commission have been informed that the Information Room established in Scotland Yard controlling a net-work of telephones has encouraged good public relations in no small measure and the telephone indeed plays a great role.

320. Any reasonable expenditure incurred for promoting good public relations will be well spent. In modern times, the expenditure on this account both in Government and in

industrial concerns is of no mean magnitude and in fact a staggering amount is spent by these concerns whether in the public or in the private sector. The police, on the other hand spend nothing or practically nothing on building up good public relations and the Commission desire that the police force should be made to realise the value of gaining the confidence of the people.

Concluding, the Commission hope that good personnel selection, adequate training, proper supervision and above all smart turn-out and courteous behaviour at all times are bound to build up such happy relations that the execution of any task, however unpleasant would be rendered easier. Efficiency will improve and any effort made for promoting healthy public relations should always pay ample dividends.



CHAPTER XXVI

RECORDS, RETURNS AND STATISTICS

321. Police records relating to crime may be divided into (a) records of crime, (b) records of criminals, (c) records of identifiable objects associated with crimes, and (d) statistics, graphs, maps, etc. Record and returns are also necessary for efficient organisation of the force and management of the personnel. The present system of record keeping in the police makes elaborate provision for records and returns relating to both crime and personnel management. Chapter XXX and XXXI and Appendices 61, 62 and 64 of the Police Manual are devoted entirely to the returns, records and registers which should be maintained in police-stations and other offices. They are supplemented by Police Orders Nos. 3, 5, 26, 42 and 47 and some more forms have been prescribed in the districts under the orders of the Deputy Inspector-General and the Superintendents. The Commission are required to enquire and report whether the existing statistical returns, and the registers and records maintained in the police-stations and other police offices are satisfactory; and whether the use to which statistical returns are put as test of police working is appropriate.

322. Majority of the witnesses are of the view that there is nothing inherently wrong with the present system of record keeping which serves the two-fold purpose of affording a measure of the crime problem and some indication of the success of the police in dealing with it, and of providing practical aids in the prevention and detection of crime. Some of them are, however, of the view that certain minor deficiencies need be removed to make the system compact and up-to-date. The records of criminals do not provide for collection of age, educational qualifications, and economic and social status of persons involved in crimes, nor are their physical peculiarities and methods of operation recorded in sufficient details. The records of identifiable objects associated with crimes do not contain all relevant particulars. Another criticism is that the system suffers from some waste of effort due to duplication and lack of uniformity and standardisation. It is also the view of some senior police officers that the most prominent deficiency in the records of the police-stations is the absence of any running record of cases and for most of the details, case diaries have to be referred to. Suggestions have been made that the daily personal diary of a Circle Inspector (now to be of the rank of Chief Inspector) should be replaced by a monthly tour diary and their daily reports should be converted into weekly reports; the birth and death register, epidemic register, register for statistics of wild animals, and weather and crop report should be eliminated; the police-station need not compile quarterly and annual statistics of crime which can now be prepared in the District Crime Bureau and District Court Office. Some witnesses have drawn pointed attention to the deficiency that exists in the crime records of police-stations on account of the exclusion of cases instituted in and judicially disposed of by the Gram Panchayat Cutcherries. It is their view that information about these crimes should be incorporated in the crime records of the police-stations as otherwise a true picture of crimes in rural areas would not be available. With regard to the three important registers, namely, the station diary, the crime directory and the khatian, suggestions have been made that entries in the station diary should be serialised in annual numbers and not in monthly numbers, the present crime directory should be replaced either by the card index or by the previous crime directory and compilation of half-yearly station statistics is superfluous.

323. The Commission felt that for a proper and fuller examination of the subject, it was necessary to entrust this task to a departmental committee and accordingly, the Inspector-General of Police, Bihar, was requested to constitute a committee to examine the existing record system in all its details and advise the Commission whether it was necessary to modify,

abolish or introduce any return, register or record. Though the relevant term of reference refers to statistical returns, records and registers dealing with crimes and criminals only, the Commission decided to expand the scope of their examination and, therefore, requested the committee to consider other returns and records also. For purpose of examination, the committee was advised to divide the forms in two broad categories, namely, (i) those relating to crimes and criminals, and (ii) those relating to the administration and organisation of the force. It was also indicated to the committee that in recommending any change, the main objective should be to avoid waste of effort due to any duplication by securing standardisation and harmonisation at different levels from the police-station to the police headquarters. In this connexion, the committee was also requested to devise, if possible, some multipurpose registers by amalgamating some of the inter-connected registers. The report of the committee forms Appendix XV of this Report. Its recommendations bear evidence of the care and thoroughness with which the committee dealt with the subject and there is hardly a detail which escaped its examination. It did not recommend any major change in the existing system on account of the fact that most of the returns, records and registers served a distinct purpose and any attempt to combine even some of them would, in the view of the committee, make the task of maintaining such registers involved, even clumsy and, perhaps, confusing. The committee was also influenced by the fact that the statistical compilations and maintenance of registers and records at police-stations and other offices were entrusted to persons who had hardly any training in statistics and, therefore, a complicated system of record-keeping would be difficult to maintain. The committee further realised that the prescribed forms were so intimately linked up with the corresponding rules of the Police Manual that major changes required modification or revision of the relevant rules. As revision of the Police Manual would be inevitable in the light of the changes that should follow in the wake of the recommendations of the Commission, the committee did not advise any large-scale revision of the Police Manual, particularly when it had no idea of the structural and procedural changes likely to be recommended by the Commission. The committee also felt that it was not advisable to recommend any change merely for its own sake and accepted the golden rule that those forms that had stood the test of time need not be changed without good reason.

324. The Commission fully concur in the above views of the committee and appreciate that for very good reasons, the approach of the committee had to be cautious and conservative. A review of its various recommendations leaves no doubt that in recommending the changes, even the verbal ones, the considerations that influenced the committee were the necessity of making the existing forms more rational, accurate, modern and up-to-date, of incorporating some of the manuscript forms found to be serving useful purpose and of ensuring that the spacing of the columns was convenient and that some salutary checks to prevent some of the existing abuses were provided. Recently, criminologists have attached considerable importance to information about sex, age, physical description, educational attainments and social and economic status of delinquents and criminals. The existing forms do not elicit all the required information and it is, therefore, necessary to introduce appropriate columns in some relevant forms for collecting these valuable data. The Chief Inspector in charge of a circle will now be required to append certificates of local verification to every report submitted under section 110 of the Code of Criminal Procedure; the more details in the malkhana register about the disposal of property in the custody of the police will obviate the scope of any irregularity; the revised form of prosecution report under the Motor Vehicles Act will ensure its proper account during transit; the proposed form for identification of suspects should prevent some of the existing abuses; the changes proposed in the daily under-trial case report would furnish a clearer picture of the witnesses summoned and examined, payments made to witnesses and remands granted; the form of *post-mortem* examination report as redesigned will secure that this basic piece of medico-legal evidence is accurate in all respects and contains fuller information. Numerous similar changes have been suggested by the committee and the Commission hope that they will remove most of the procedural defects.

The committee has added some forms e.g., (i) crime index at police-stations, (ii) register for recognition of bad characters, (iii) part II of the *malkhana* register of the police-station for identifiable stolen objects, (iv) intimation slip regarding refusal of investigation of cases under section 157(b) of the Code of Criminal Procedure, (v) request register, (vi) register for statistics of juvenile crimes and criminals, (vii) summons to search witnesses under section 103 of the Code of Criminal Procedure, (viii) register for proceedings of police council and (ix) comments of prosecuting officers on investigation as required under rule 264 of the Police Manual. Weighty reasons have been advanced for these additions and they should be accepted. The addition of crime index at a police-station will necessitate some minor changes in the khatian Parts I—II. The proposed register will give a running account of all crimes reported to the police. The station statistics should be maintained in two parts. The compilation of half yearly statistics should be given up. The Commission also accept that the forms for return of trigonometrical survey pillars, register of births, and deaths, epidemic report and weather and crop report should be excluded from the list. It has also recommended elimination of some other unimportant forms and returns.

325. The Commission have the following comments to offer on some of the other recommendations of the committee :—

- (i) *First Information Report*.—Though the abolition of the post of Subdivisional Police Officer has been recommended, the first information report book should continue to be printed in quintruplicate as one copy will be required for the District Director of Prosecutions. The other recommendations of the committee are in order.
- (ii) *Case Diaries*.—The Commission have made separate recommendation about the case diaries in the chapter dealing with investigation of cases. Case diaries should be written in quadruplicate as one copy will be required for the District Director of Prosecutions.
- (iii) *Dossiers, Crime Directory and Indexes*.—The recommendations of the committee should be accepted subject to the modification that all cases should be entered in the crime directory (Part II) and not only detected cases as recommended by the committee. The Commission consider it necessary that an investigating officer must also know all about the undetected cases as some of these may furnish valuable information. The Commission do not agree with the committee that a cluster of undetected cases in a particular area has nothing but a statistical value. If these cases are properly entered in the crime directory, an analysis of the methods of operation may help the investigating officer in detecting the criminals responsible for these crimes. The addition of a physical peculiarity index is indeed necessary. Dossiers should be compiled in the District Crime Bureaux and distributed to police-stations concerned.
- (iv) *Personal Diaries of Inspectors*.—The Commission consider it necessary that the circle police officer should continue to send his daily diary to the Superintendent of Police. In accordance with rule 64 of the Police Manual, this diary should contain information regarding not only police matters, but also all events of public interest occurring in the circle.
- (v) *Daily Report*.—This report is submitted by the Circle Inspector and furnishes valuable information about his circle. The Commission agree with the committee that daily reports are generally received with delay and therefore, their purpose is defeated. The Commission desire that this report should continue to be submitted everyday and any delay in the submission of this

report should receive adverse notice. The form should be revised as suggested by the committee.

- (vi) *General Register*.—The Commission have made separate recommendations about this register while dealing with the functioning of the Police Court Office and the same may be accepted. The suggestion of the committee regarding publication of daily lists in every subdivision also deserves consideration.
- (vii) *Monthly Crime Return*.—The committee has not considered it necessary to prescribe any standard form for it and wants the manuscript form prescribed from time to time to continue. The Commission do not accept this suggestion and recommend that the form of monthly crime return should be standardised and a bound book with perforated sheets should be supplied to every police-station, so that the return can be conveniently compiled from month to month and submitted to the circle officer and the District Crime Bureau.
- (viii) *Station Diary*.—The recommendations of the committee should be accepted. It is necessary to have the station diary in the foolscap size as in the past and the entries that are made while opening and closing the diary should be standardised and printed in the *pro forma* recommended by the committee.
- (ix) *Confidential Character Roll*.—The Commission do not agree with the committee that no prejudice is caused if the recording officer sees the previous remarks. It is true that he frequently consults the confidential character roll of his subordinates, but should not refer to them at the time of recording his own remarks.

326. All other recommendations of the committee are in order and should be accepted in due course. The Commission have recommended already while dealing with registration and surveillance of bad characters and the registration of offences that some satisfactory method must be adopted to ensure that cases instituted in and disposed of by the Gram Cutcherry are regularly communicated to the police, for it is necessary that relevant details about these crimes are incorporated in the crime directory and other crime records of the police-station. The Commission have also observed while dealing with the Criminal Investigation Department that the witnesses are in favour of maintaining classified records of certain types of crimes and criminals in the Criminal Intelligence Bureau of the Criminal Investigation Department and the District Crime Bureau. It has already been recommended by the Commission that the system of record keeping in the Criminal Intelligence Bureau of the Criminal Investigation Department and the District Crime Bureau should be co-ordinated. The Commission have not appreciated the necessity of any such criminal record office at headquarters of range Deputy Inspectors-General of Police.

327. For securing necessary efficiency and speed in the compilation of statistical returns and maintenance of records and registers, the Commission agree with witnesses that increasing use of printed and standardised forms is advisable. The departmental committee has also suggested that some of the manuscript forms which have stood the test of time should be included in the list of printed forms. Regarding the use of mechanical devices, some witnesses are of the view that these devices may not be of much practical utility at the police-station and circle office, but can certainly be used with advantage in the District Crime Bureau, the Research and Statistical Bureau and the Criminal Intelligence Bureau of the Criminal Investigation Department.

Regarding the necessity of providing special statistical staff for collection, compilation and preparation of criminal statistics and records, quite a number of witnesses are of the view that a specialised statistical staff is not required at the police-stations and circle offices, and even in the District Crime Bureau, specialised staff will not be required if one of the

ministerial officers is given the necessary training and entrusted with statistical compilation. Majority of the witnesses, however, want trained statistical staff at the police headquarters. The Commission have already recommended while dealing with the organisation of the Criminal Investigation Department that the present Research and Statistical Bureau should be made permanent and a statistical section should be organised in every District Crime Bureau, but the latter need not be manned by any special statistical staff.

328. The Commission would now answer the second question raised in the terms of reference; whether the use to which statistical returns are put as tests of police working is appropriate. The answer is furnished in Police Manual rule 47 which discourages use of statistics, as "the chief means" of assessing police work. It is stressed in this rule that statistics are of value to inspecting officers, indicating as they do the officers whose work needs special scrutiny and the area and classes of crime on which they should concentrate their energy, but if statistics are used as 'the chief means' of assessing the work of an officer, the assessment may be defective and subordinate officers may be encouraged to believe that credit for good work can be obtained by securing a high ratio of conviction and maintaining a low incidence of crime. It is further emphasised in the aforesaid rule that award of praise or blame on the basis of statistics is dangerous and may be unfair. Rule 3 of the Police Manual also requires that an officer should be judged not by his success in the investigation and prosecution of offences, but by his display of method and intelligence, his general efficiency and keenness, his management of the subordinates and above all, by his knowledge and control of the local charge committed to his care. In the view of the Commission, these rules are sound and need no modification and in this conclusion, the Commission are supported by a large number of witnesses. Senior police officers are strongly of the view that the work of a police officer should be judged by the manner and volume of work done by him and the statistics should be just a guide to indicate the fluctuation in the figures. Some Inspectors-General of Police have suggested that assessment should always be based on the scrutiny and examination of individual cases, results obtained and the standard maintained in the investigation and prosecution of cases. The Commission fully concur in these views and recommend that statistics should be used only as indicators of trends and should help police officers in planning their measures for prevention and detection of crime. Reward or punishment must not be awarded on the basis of crime statistics and if there is a tendency in any inspecting officer to recognise work on the basis of statistics, it must be resisted. The Commission have observed already while dealing with statistics of crime that statistics alone cannot always reflect the crime situation and at best they can be used for drawing certain conclusions.

CHAPTER XXVII

ESTIMATE OF STRENGTH AND COST

A. STRENGTH

329. The Commission while making their recommendations in this Report, for increase in the strength of the State Police Force, delineation of smaller police charges, rise in salaries of the various ranks, especially of the constabulary have been considerably influenced by the unanimity of evidence before them that in a democratic set-up the entire police methodology has to undergo a change as the task of the police is now more delicate, onerous and responsible. The unarmed branch, including the investigating agency, has claimed the largest increase as the complaint was universal that the standard of investigation was low and that patrolling in urban areas inadequate. In order to raise the standard of investigation, the Commission have also recommended increasing scientific assistance by technical branches which require some expansion and increased pay. Again, agreeing with the consensus of opinion expressed before the Commission they have not increased the strength of the Special Armed Police (Military Police) or the District Armed Police but the increase that is noticed is only due to the increase in the strength of the middle supervisory ranks and the increase in the number of districts. The Commission have recommended smaller police districts which should now number 30 instead of 20 and circle charges which are at present heavy should consist of not more than four police-stations. They have also accepted the proposal which has been examined by Government already that there should be one police-station for every Anchal. Among the supervisory ranks, the Commission have proposed the abolition of the posts of Subdivisional Police Officers in order to strengthen the principal line of supervisors in the cadre of circle officers who are now to be of the rank of Chief Inspector. The Commission hope that the Chief Inspector, who will be a full-fledged gazetted officer, will raise the standard of supervisory work and their supervision will be more direct and efficient. The Superintendent of Police will acquire a proper second officer in an Assistant or a Deputy Superintendent of Police who will be able to relieve him of most of his desk work and assume all his responsibilities in his absence which will enable him to tour about extensively in the district for supervision and for establishing closer contact both with his staff and the people. The scheme suggested, however, would only mean a nominal increase in the supervisory ranks.

330. The Commission have carefully analysed the task of each branch of the police force, measured it in terms of man-power and their equipment, and recommended certain yardsticks. The greater necessity of improving the quality of the personnel has weighed with the Commission in determining the size of the force. The recommended yardsticks should, however, provide the minimum man-power required on account of much increase in population, road-mileage, traffic problems and growing urbanisation. For urban areas, the strength of the constables for beat patrols has been fixed at the rate of one for 500 of the population and sufficient man-power has been provided for duties connected with traffic and other police problems peculiar to these areas. For the two bigger cities, Patna and Jamshedpur, the police set-up is designed on a slightly different pattern. In the rural areas, the police should earnestly invoke the co-operation of the Gram Panchayats and the Village Volunteer Forces. Police-stations which form the keystone of police administration have been recommended to be reorganised and only slightly reinforced. The charge of a police-station should be held by an officer of the rank of Inspector and an Assistant Inspector who will be the principal investigating officer should be provided at the rate of one officer for 60—70 cognisable cases a year. Two Head-constables should be posted for *serishta* work and the

management of the constables. The strength of constables of a police-station is not normally to exceed ten. The strength of the railway police has been so augmented as to ensure proper investigation of railway crime and the efficient watch of all important trains and railway stations. Increasing use of dogs for prevention and detection of crime, and employment of police women are unavoidable. Some increase in the scientific sections of the Criminal Investigation Department and the Police Radio Organisation is inevitable if the force has to be provided with modern facilities of investigation and communication. The increase in the number of vehicles has been kept to the minimum though the Commission would like the scales recommended by the sub-committee appointed by a conference of the Inspectors-General of Police to be adopted in due course. On account of separation of the judiciary and the executive, the prosecuting agency has been reorganised and an altogether separate non-police cadre has been recommended.

331. Appendices X and XI contain an estimate of the strength of police and non-police personnel and the abstracts thereof. An attempt has been made to calculate the strength as accurately as possible, but the actual strength required can be determined only by a careful and detailed application of the various recommendations which the State Government may accept.

ADMINISTRATIVE OFFICERS

At present, there is one Inspector-General and seven Deputy Inspectors-General. The Commission have not recommended any change in the strength of these administrative officers, but some redistribution of the duties of the Deputy Inspectors-General has been suggested. Three Deputy Inspectors-General will be required for the ranges; the Criminal Investigation Department should be split up into the State Intelligence Department and the Criminal Investigation Department, each with its own Deputy Inspector-General and railway police added to the charge of the latter who will be designated Deputy Inspector-General, Crime and Railways; the Deputy Inspector-General, Military Police, will also be in administrative charge of the Police Transport, the Police Radio and the State Fire Service and a separate Deputy Inspector-General will hold charge of the training institutions.

SUPERVISORY OFFICERS

There are 41 Superintendents including 6 Additional Superintendents, 121 Deputy Superintendents and 228 Inspectors to supervise the work of the basic police ranks. No change has been suggested in the rank of Superintendent of Police, but 4 more Superintendents will be required on account of increase in the number of police districts and upgrading of the rank of the Police Information Officer. The 6 posts of Additional Superintendents of Police will be replaced by Superintendents. Sixteen Assistant Superintendents and 51 Deputy Superintendents will be required for the posts of "second officers". There will be a substantial reduction in the strength of Deputy Superintendents. A new cadre of Chief Inspectors has been proposed for supervising the work of the police-stations and for corresponding assignments in other branches. This cadre will consist of 313 officers. The proposed total strength of all the supervisory officers will be 425 as against the present strength of 406.

EXECUTIVE FORCE

(i) UNARMED BRANCH

1,411 Sub-Inspectors, 1,538 Assistant Sub-Inspectors, 454 Havildars, 1,126 Writer-constables and 14,034 constables constitute the unarmed branch of the police. The Sub-Inspectors form the core of the force as this cadre provides the officers-in-charge of police-stations and the investigating officers. This cadre will be replaced by a cadre of Inspectors on senior and junior scales, who will hold charge of police-stations; all urban police-stations

and heavier rural police-stations will have Inspectors on the senior scale and other police-stations, Inspectors on the junior scale as officers-in-charge. Some Inspectors will also be required for the State Intelligence Department, the Criminal Investigation Department and the training institutions, and for supervising patrols, traffic and other police duties in the districts. 319 Inspectors will be required in the senior scale and 751 in the junior scale.

Another new cadre of Assistant Inspectors will constitute the principal investigating agency. Every police-station will have one investigating officer for 60—70 cognisable cases a year. The bulk of them will, therefore, be posted to the police-stations and a fair number will be required for the State Intelligence Department, the Criminal Investigation Department and other branches. Thus 1,283 Assistant Inspectors will be required.

The total strength of Inspectors on the senior and junior scales and Assistant Inspectors will be 2,353 as against the existing strength of 1,411 Sub-Inspectors. This increase of 942 is necessary to raise the standard of investigation and to tone up the administration at the level of the police-station.

3,118 Assistant Sub-Inspectors, Writer-constables and Havildars are at present employed on clerical and other duties in the police-stations. These officers will be replaced by a cadre of Head-constables. 949 Head-constables will be posted to police-stations, 105 to out-posts and beat houses, 347 to town out-posts, 45 to traffic, 172 to the cities of Patna and Jamshedpur, 183 to the railway police, 80 to the State Intelligence Department, 13 to the Crime Branch of the Criminal Investigation Department, 136 to Court Offices and 407 as Steno. Head-constables. The remainder will be posted to district headquarters and other offices. 2,561 Head-constables will replace 3,118 Assistant Sub-Inspectors, Writer-constables and Havildars resulting in a saving of 557.

There are at present 14,034 unarmed constables attached to police-stations, out-posts, traffic, Government Railway Police, Criminal Investigation Department and other branches. The revised requirement will be 17,167. Increase of 3,133 constables is not considerable as towns will have one constable for 500 population for beat patrols, the strength of traffic constables will be doubled, and police-stations will have 10 constables each. The leave reserve of police-station and out-post personnel will be kept at the posts and not at the headquarters of the districts.

(ii) ARMED BRANCH

The District Armed Police (5,114), Anchal Force (3,568), Bihar Military Police (3,575) and Mounted Military Police (210) constitute the armed branch of the police. The revised strength of these units will be as follows :—

District Armed Police	...	...	...	...	5,683
Anchal Force	...	...	...	...	3,525
Special Armed Police	...	...	...	...	3,848
Mounted Armed Police	...	...	...	...	153

There will be a net increase of only 740. The increase in the strength of constables is negligible but there has been a substantial increase in the ranks of non-commissioned officers. This increase is irresistible as efficiency of armed police cannot be maintained without close and effective supervision. The scales adopted for the middle ranks have been recommended by the sub-committee appointed by a conference of the Inspectors-General of Police. The training reserve of the District Armed Police will be maintained at the training centres of the Special Armed Police. The strength of the Mounted Armed Police will decrease by over 50 men.

SPECIAL POLICE ORGANISATION

(i) POLICE COMMUNICATIONS

The present strength of the police radio personnel is 349 for 99 stations. 51 more stations are to be added. These radio stations will cover 8 Information Rooms, 21 radio-patrol cars and some selected police-stations and police circles. The increase in the strength is also due to the adoption of the scale recommended by the Technical Standards Committee, 1959. An officer of the rank of Superintendent will hold charge of this organisation but this post will not be borne on the cadre of Superintendents of Police. Except the Chief Inspector, the police radio personnel will form a closed cadre up to the rank of Deputy Superintendent but they will continue to be enrolled under the Police Act.

(ii) POLICE TRANSPORT

The present strength of drivers and assistant drivers is 854 for 405 vehicles. The Commission have recommended a separate cadre of 1,365 drivers and assistant drivers for 555 vehicles excluding 40 motor-cycles. Despite a very strong demand for more liberal scale of vehicles for the districts and the police-stations, the increase has been kept at the minimum. A few more vehicles will be required for the radio-patrol cars, the increased number of police circles, the cities of Patna and Jamshedpur and for providing a mobile laboratory to each district and meeting other necessities. The scale of driving staff has not been increased, but two additional drivers have been provided for the radio-patrol cars and the stand-by vehicles so that they could operate round the clock and a leave and training reserve at 18 per cent has been provided. Motor-launches and necessary driving staff of 41 will be required for river patrols as against the present staff of 9. The maintenance of police vehicles leaves much to be desired and, therefore, a proper workshop at Patna and smaller workshops at Ranchi and Muzaffarpur have been recommended to be set up. These workshops will require 76 against the existing strength of 32. Total increase in this branch is 606.

(iii) POLICE WOMEN

At present there is no separate cadre of police women. A cadre of two Inspectors on the senior scale, 35 Assistant Inspectors and 283 Head-constables has been recommended for the cities of Patna and Jamshedpur, and the districts including the railway police districts.

(iv) DOG SQUAD

The force for dog squads has been included in the unarmed branch of the police. The increase is very small.

(v) STATE FIRE SERVICE ORGANISATION

For 16 units, the present strength is 129. For the proposed 29 units, additional 218 men will be required. The scale has not been changed but leave and training reserve at the rate of 18 per cent has been provided. There will be one State Fire Service Officer and an Assistant State Fire Service Officer. The personnel will be recruited under the Bihar Fire Service Act and will form a closed cadre. Its cost will be borne by the Local Self-Government Department. Its administrative control will vest in the Deputy Inspector-General, Armed Police.

NON-POLICE PERSONNEL

(i) PROSECUTING AGENCY

At present it consists of 172 Police Prosecutors. The Commission have proposed complete separation of this agency from the Police Department and the reorganised prosecuting branch will consist of 351 prosecutors, recruited from the Bar and maintained under the administrative control of Government in the Law Department.

(ii) EXPERTS OF THE CRIMINAL INVESTIGATION DEPARTMENT

37 Experts, 6 Sub-Inspectors and 6 Assistant Sub-Inspectors man the Finger Print Bureau, Handwriting Section and the Photo Bureaux. It is proposed to add 27 junior experts to the scientific sections of the 27 police districts excluding the three railway districts; three senior experts are provided for the training institutions, three experts will be required for the police museum and the crime-prevention exhibition, 8 testers and searchers have been added to the existing strength of experts. The increase in the number of experts will be 44 but actual increase will be 32 only as 12 executive police officers are at present posted to the district photo bureaux.

(iii) RESEARCH AND STATISTICAL BUREAU OF THE CRIMINAL INVESTIGATION DEPARTMENT

No change is recommended except that 2 orderlies have been added to the strength.

(iv) REPORTERS OF THE STATE INTELLIGENCE DEPARTMENT

No change is recommended.

(v) MAP AND PLAN DRAWERS

One map and plan drawer has been recommended for each of the 30 districts (25 police districts, 2 city police and 3 railway police districts) and one for the training institutions. The Commission have considered it necessary to provide this facility as judges and lawyers have complained that maps and plans of scenes of crime are seldom prepared by investigating officers. Maps and plans are vital for efficient investigation and, therefore, expenditure on 31 map and plan drawers is fully justified.

(vi) FOLLOWERS

706 followers will be required as against the existing strength of 372. The District Armed Police do not have any followers. 90 cooks, 180 water carriers, 30 barbers, 30 sweepers and 30 washermen have been provided for the striking force. The strength of followers for the Special Armed Police has been slightly increased to ensure that one cook and two water carriers are available for each platoon.

(vii) POLICE MINISTERIAL OFFICERS

Their present strength is 913. Except for additions in the supervisory ranks, no change has been suggested in the strength of ministerial officers for the offices of the Inspector-General and the Deputy Inspectors-General. For district offices, 30 posts of Office Managers have been recommended. They will replace the present Reserve Sub-Inspectors. In every Police Office, there will be a Head Clerk on the existing junior scale of pay for each of the 5 sections, 159 Head Clerks will be required. The posts of an equal number of upper division clerks are proposed to be abolished. 38 accountants will be required at the rate of one for 30 police districts, 5 Special Armed Police battalions, Mounted Armed Police battalion, the Transport Branch, and the training institutions. Five assistant accountants will be required for 5 Special Armed Police battalions as these battalions will have only one Head Clerk. On the recommended yardstick, 643 lower division clerks will be required. The total increase will be 301. No ministerial staff is at present sanctioned for the Police Radio organisation and, therefore, no staff has been recommended. If necessary, this organisation can be staffed on the pattern of the Special Armed Police battalion. The requirement of the expanded State Fire Service is not known and, therefore, no ministerial staff has been recommended for this non-police organisation.

332. The total strength of the police personnel after the recommendations of the Commission have been fully implemented will be 38,078 against the strength of 32,861 on 31st December 1960. The increase is by 19 per cent while the population in the last decade

has perhaps increased by 25 per cent. This increase cannot be grudged as Appendix XIV will show that in its ratio of police to population, Bihar compares unfavourably with almost all the major States. There is one policeman for 1,180 population in Bihar as against 687 in West Bengal, 571 in Bombay, 642 in Madhya Pradesh, 881 in Andhra, 471 in the Punjab, 621 in Assam, 1,057 in Orissa, and 1,017 in Uttar Pradesh. The increased strength of police will provide one policeman for 993 of population. This ratio is, however, based on the census of 1951. With the increase in population during the last 10 years the ratio of police to population may ultimately work out to one policeman for over 1,100 men. It may be clarified that the proposed structure does not visualise any further expansion of the police force on the basis of population except for some increase in the strength of the town out-post.

333. It would appear that the proposed structure of the State Police Force will require recruitment of the increased strength, absorption of the existing ranks of Havildar, Writer-constables, Assistant Sub-Inspectors, Sub-Inspectors, Inspectors, Sergeants and Sergeants-Major and reduction in the strength of Deputy Superintendents. For all these, a phased programme will have to be prepared; the rate of recruitment will have to be carefully determined because any recruitment greatly in excess of the normal rate would lead later to a stagnation in promotion; absorption of existing personnel in the new cadres will require proper scrutiny of their merit and ability. The Commission hope that the recruitment of additional personnel, absorption of some of the existing ranks, and constriction of the cadre of Deputy Superintendents should be achieved within five years.

B. Cost

334. It has been explained in the foregoing paragraphs that a proper reorganisation of the Bihar Police will require increase in its strength and a definite improvement in its quality and morale. And all these cannot but necessarily result in increased expenditure on this important branch of the administration.

While introducing the Police Bill in 1861, the then Home Member of the Supreme Government had admitted that the Bengal Police was the least expensive of the police in India and that it could not be rendered more efficient without increased cost. Towards the close of the last century, the Beames Police Committee of Bengal had observed, "we wish to express our conviction that although our proposals involve a very serious increase of expenditure, the main object in view—the reform of the working branch of the police, and the improvement of their relations with the people—cannot be attained at a lighter cost. The difficulty is one of old standing, which has never been adequately dealt with. Since the beginning of the century the legitimate pay of the police officers concerned in the prevention and investigation of crime has all along been inadequate to raise the members of the force above the temptation to add to their salaries by illegitimate means. It is unnecessary to point out the serious consequences arising from this state of things in the case of men for whom a high standard of integrity is required. An attempt is now being made to rectify this mistake, and it is inevitable that the expense of doing so should be considerable. Had this fact been recognised when the police was reformed in 1861, the improvement might have been effected gradually and without imposing any heavy burden on Imperial or Provincial finances. But we are called upon to do at one stroke that which should have been the labour of years, and the financial problem is the more difficult of solution because it has been so long postponed".¹ Similar views were expressed by the Indian Police Commission of 1902-03, who maintained "without hesitation that any real effort to attain greater security of life and property and some reasonable hope of freedom from the oppression and other serious evils complained of by this vast population of three hundred millions fully justify this additional expenditure of less than one million sterling per annum".²

1. Paragraph 124 of the Report.

2. Paragraph 198 of the Report.

335. Bihar started with a modest police budget of Rs. 40.47 lakhs in 1912-13 and it stood at Rs. 78.59 lakhs in 1937-38 after separation of Orissa. For 1958-59, the police budget was sanctioned for Rs. 471 lakhs. The factors contributing mainly to this increase are (i) the expansion of the force undertaken in 1945-47, (ii) increased pay and *ad hoc* increases from time to time in the cost of living allowance for lower ranks, (iii) increase in the strength of the military police battalions in 1947-48, (iv) organisation of the Home Guards, (v) entertainment of Anchal Force, (vi) increased expenditure on village police, and (vii) rise in prices of materials for uniform, armament and other equipment. It has been indicated already that there has not been any appreciable or planned expansion of the force after 1946-47 though the volume and complexity of police work have undergone a great change.

Since 1946-47, the percentage of expenditure on the police to the total budget of the State has gradually diminished. It will appear from the statement below that in 1958-59, the expenditure on police was only 5.6 per cent of the total budget of the State whereas in 1946-47, it was as high as 15.2 per cent.

Year	Police expenditure (Lakhs)	Total budget (Lakhs)	Percentage of total expenditure to total budget
1946-47	249	1,634	15.2
1947-48	261	1,877	13.9
1948-49	334	2,612	12.8
1949-50	363	2,713	13.4
1950-51	382	3,761	11.3
1951-52	408	4,445	9.2
1952-53	375	2,731	13.7
1953-54	381	3,680	10.3
1954-55	396	4,814	8.2
1955-56	420	7,200	5.8
1956-57	441	6,949	6.3
1957-58	435	8,252	5.2
1958-59	471	8,308	5.6

336. Appendix XIV will show that the per capita expenditure on the police in Bihar as compared with most of the major States is also low. It is Rs. 1.29 against Rs. 3.35 in West Bengal, Rs. 3.81 in Bombay, Rs. 2.8 in the Punjab, Rs. 1.93 in Madras, Rs. 1.55 in Uttar Pradesh and Rs. 3.64 in Assam. Orissa is the only State with a lower per capita expenditure of Rs. 1.17. Bihar (Rs. 1,526) also compares unfavourably with West Bengal (Rs. 2,283), Uttar Pradesh (Rs. 1,577), Bombay (Rs. 2,220), Madras (Rs. 1,978) and Assam (Rs. 2,262) in the ratio of policeman to expenditure.

337. Apart from the support which any recommendation for a reasonable increase in the police budget draws from the preceding paragraphs, a very categorical demand has been made by an overwhelming majority of witnesses representing the public opinion, the press and the officials. Some 25 witnesses only seem to consider the present expenditure either excessive or reasonable. The other nearly 200 of them are strongly in favour of substantial increase in the police expenditure. In this demand is reflected the acute anxiety of the people to ensure that efficiency and effectiveness of the police are not sacrificed for economy. It is their fear that uneconomic expenditure on police may leave wide gaps for mischief by anti-social elements. The witnesses have asked for more expenditure on the police on the ground of necessity for more man-power, more scientific equipment, more transport and a happier force. An eminent economist, who is also a member of the Legislature, is clearly

of the view that the police budget has not increased in proportion to the growth in the revenue budget and the total budget of the State. A witness, who was till lately the Development Commissioner of the State, considers the money spent over the police force to be low considering the special problems of the State and adds that a force which is "under-paid, badly equipped and under-staffed", cannot be effective and efficient and is, therefore, uneconomic as there is a certain critical level below which any expenditure is wasted. He is unable to appreciate any idea of freezing expenditure on the police on the ground that any extra expenditure is not covered strictly by development plans. His successor also confirms this point of view in his evidence before the Commission. He suggests that as law and order is a vital condition of progress on the developmental front, the additional unavoidable expenditure for improving law and order arrangement should become an integral part of the administrative reorganisation proposal and should qualify for inclusion in the third plan. The Member, Board of Revenue, feels that "there is a definite necessity for increase in the police budget which in recent years is showing progressive decrease in relation to the total expenditure of the State". He considers it a serious "mistake to freeze the police budget by classifying it as a non-plan expenditure". Expenditure on police administration is according to him, not inconsistent with the conception of a welfare State, which cannot be erected except on a solid foundation of police and revenue administration. Similar views have been expressed by other senior officials of the Government. The Commission are in no doubt that this popular demand indicates the acute dissatisfaction of the people with the present standards of police work and the desire to pay a higher price for the much needed reforms. These views have encouraged the Commission to make their recommendations in the hope that the resultant increase in expenditure will be welcome.

338. An attempt has been made to indicate the financial implication of the recommendations of the Commission in Appendices XII and XIII. The estimates show an increased expenditure of Rs. 178 lakhs per year on account of pay of the proposed strength of the force.

The revised scales of special pay will result in an increase of Rs. 7 lakhs. The increase in contingencies calculated roughly at the rate of 8 per cent of the increase in pay and special pay comes approximately to Rs. 14 lakhs. The various allowances will account for an increase of Rs. 5 lakhs.

For want of sufficient data not even an approximate idea can be formed of the extent of capital expenditure which should also be phased.

The whole of the increased expenditure on account of pay, special pay, contingencies and allowances, uniform and equipment, cannot be incurred immediately as implementation of the various recommendations of the Commission must be a work of time. The Commission have indicated that a phased programme of five years will be necessary for implementing their recommendations and a good portion of the increased expenditure will, therefore, have to be spread. The immediate impact will be on account of increase in pay and allowances of the existing force and should not exceed Rs. 150 lakhs in the first year or two.

The Commission appreciate that even the phased programme of expenditure will be a strain on the financial resources of the State, but in view of the persistent demand for immediate reforms in the police administration, it appears to be inevitable. They expect that at the end of the Third Five-Year Plan period the resources of the State will have been so increased as to take this additional burden which in the next five years will have, however, to be borne if the State is to get an efficient police force and a tranquil and peaceful atmosphere for a successful implementation of the various plans of development.

CHAPTER XXVIII

CONCLUSION

339. A very representative body of witnesses, both official and non-official, have expressed their views before the Commission, some in writing, some orally, and some both in writing and orally. Their views, coming as they do from the entire cross-section of the society, have been extremely helpful to the Commission in arriving at their conclusions. They have also been afforded the opportunity to ascertain the feelings of the police force itself as also the public in regard to the force, and have had the advantage of free and frank discussions both within the State, as also outside it, during the course of their itinerary.

340. The Commission have now come to the end of their labours and submit their recommendations for the consideration of the State Government. Their conclusions indeed cover a wide range and to arrive at them they have had to devote considerable time and care. That the Report is unanimous is eloquent of the magnitude of the problem which has a peculiar similarity in its presentation by a vast majority of witnesses, and thus strikes a large measure of common factors in the suggestions that are made for its solution. There is also no doubt whatever that the evidence that has been laid before the Commission has fully established the necessity for instituting such an enquiry and justified the decision to set up such a body. It is gratifying that some other States have since set up their own Commissions. The anxiety on the part of the witnesses and those with whom the Commission came in contact during the course of their enquiries to effect an improvement in the police force is genuine and has worried them for sometime. The remedies that have been suggested should, the Commission hope, go a long way to rebuild the Bihar Police Force with a stronger foundation which may help it to support a bigger load.

341. Before any attempt was made to formulate any suggestion for the improvement of such a large force, it was essential to study its organisation intimately in all its aspects and to discover its weaknesses if any. A complete overhaul of the apparatus at the level of the police-station, making the officer-in-charge who holds a pivotal position, a more responsible person has been recommended; the standard of investigation with the help of science has been suggested to be raised; the mechanics and the manner of supervision have been outlined, preventing wasteful duplication and ensuring fixation of responsibility; a new class of circle officers is to be set up; the Superintendent of Police is now to get adequate assistance at his headquarters and his charges have been recommended to be made more manageable and his office more efficient. Some witnesses have complained of interference and delay in giving finality to the requirements of the police, others have thought that a further tightening of supervision from an extra departmental agency over the police is clearly indicated. The Commission are, however, not prepared to recommend any radical change in the relationship of the magistracy with the police when the history of democracy in the country is still in its formative stage. **The Commission consider that any misunderstanding at the district level is due really to a clash of personality and it is hoped that with the improvement that they have recommended, the police in due course would justify themselves in being given more and more of powers to act on their own when the amendment of the existing rules may be considered to a greater extent.** For the present they must work as colleagues in the greatest of harmony, fully realising the interest of Government administration.

Prior to India getting her Independence and while she was still under a foreign rule, the object for maintaining a police force in the country was as indicated in this Report different. In a welfare State, the force has to be purposeful and trained and

equipped to protect at all times and everywhere the liberty that has been guaranteed to every citizen by the Constitution. With a higher standard of work and integrity and a higher sense of duty, which the Commission hope will be developed, the police will also get imbued with the finer instincts of a man possessing such a high sense of values that the confidence of the people and their respect will come to them in abundance. To secure the good-will and co-operation of the mass of the people living in the rural areas, so necessary for progress and peace, a scheme of integration of the Rural Police with the Gram Panchayat has been suggested and to raise the efficiency of the regular police in the urban areas apart from the experiment that has been recommended to be tried in the cities of Patna and Jamshedpur, the beat patrols have been suggested to be reorganised.

342. Failure to bring offenders to justice to an extent that would give a sense of security to the community also drew the attention of witnesses. The Commission, agreeing with these views and those expressed by the Law Commission of India, have recommended a complete reorganisation of the prosecuting agency, separate from the police. The deficiencies that the Indian Police Commission of 1902-03 found seem to have persisted in many directions but of all the causes that seem to have gripped the force, the one which should deserve special notice is the method of recruitment and training that has prevailed so far. As for recruitment to the Indian Police Service, it is not within the competence of the Commission to discuss its merits or demerits but they must observe in passing that although the best candidates might not have been attracted, there is no doubt that the class of boys coming into the Indian Police Service are well ahead of their European predecessors who had but only fair education when they started their career in the police and were unlike their colleagues in the Indian Civil Service who were good graduates of well-known British Universities. The channel and method of recruitment of the Indian Administrative Service and the Indian Police Service are now almost the same and should continue. The recruitment to the State Police Service is done through the State Public Service Commission and there is little to comment on it except that the test for ascertaining physical attainment has to be made a little more rigorous and the qualities of leadership and personality should receive their due attention. It is the recruitment in the subordinate ranks which the Commission found defective in many respects and have recommended the creation of a Police Service Commission in order to set at rest any misgivings with regard to the methods that have been prescribed for recruitment and more especially to achieve a degree of standardisation so necessary in such a large force scattered over wide areas, when the supervision from distant headquarters must necessarily be remote. The Commission have also emphasised on the quality of the apparatus utilised for the execution of duties from day to day at all police posts. Moreover, the scope and scheme of training which is vital to any organisation, civil, military or commercial has also to receive due attention by anyone who has the good of any organisation at heart. The Commission have suggested various courses of training, basic (both theoretical and practical); in-service; and, advanced courses for specialisation. Nothing has affected the training of the large bulk of the constabulary so much as the combination of objectives at the basic training institution. The man who has to bear arms has to be differently designed, differently trained and differently equipped to the man who has often to act singly on his own initiative, using his own judgment and intelligence while directing traffic or assisting in the investigation of crime. In this view of the matter, the Commission have recommended a complete separation in the recruitment and training of the armed and unarmed constabulary. This will also help in fostering better public relations, a subject which always has a great bearing on police administration. Another subject which has exercised the minds of the people considerably and the anxiety for which is reflected in the evidence of almost every witness who was good enough to assist the Commission is in regard to corruption. It is admitted that the problem is more sociological than administrative but the Commission have considered it necessary to suggest improvements in the police force in a manner that would make it an efficient law

enforcing agency for bringing the corrupt to justice. It is obvious that the police cannot by themselves be corrupt and any scheme, whatever may be the expenditure in keeping with the resources of the State, should not be grudged for perfecting this machinery, for, the days of setting a thief to catch a thief have now gone into oblivion.

343. The report of the last Indian Police Commission of 1902-03 is a sad commentary on police efficiency and integrity and contains a melancholy picture of the Indian Police and of the attitude of the people towards them. The recommendations that are now being made are being done in the firm belief that the Bihar Police will emerge a much stronger and a more efficient police force designed primarily for the good of the people and for the benefit of a welfare State.

344. A summary of the Commission's recommendations forms Appendix XVIII of this Report.

345. The Commission fully realise that their recommendations will involve further expenditure but they are at the same time of the opinion that the expenditure will not be such as to be a bar to the immediate implementation of their recommendations and they earnestly hope that the recommendations will be implemented fully and early. There is a general feeling reflected clearly in the evidence of a vast majority of witnesses that the police force has not received a fair deal which it deserves. Unless peace and tranquillity prevail in the State and the life and liberty of the people are preserved, no development or progress can be made in any direction, and, in this view, the Commission consider that the expenditure involved will not be too great a price to pay.

B. P. JAMUAR,

Chairman

Members

S. K. BAGF

BASAWAN SINHA

BADRI NATH VERMA

L. N. SUDHANSHU · NIRAPADA MUKHERJEE BRAJANANDAN PRASAD

LAL NARAIN SINHA

K. RAMAN

A. K. P. SINHA

M. K. SINHA

Member—Secretary

K. N. PRASAD

Deputy Secretary

Patna, the 23rd of May, 1961.

APPENDIX I.

RESOLUTION APPOINTING THE COMMISSION.

GOVERNMENT OF BIHAR

POLITICAL DEPARTMENT.

(Police Branch.)

RESOLUTION.

Patna, the 24th Asvina, 1880(S).
16th October, 1958.

The Government of Bihar have decided to appoint a Commission to enquire into the various aspects of the Police administration in the State and make recommendations for improvement. The members of the Commission will be as follows :—

- (1) Shri B. P. Jamuar, Retired High Court Judge—*Chairman*.
- (2) Shri S. K. Bage, M. L. A.—*Member*.
- (3) Shri Basawan Sinha, M. L. A.—*Member*.
- (4) Shri Badri Nath Verma, M. L. A.—*Member*.
- (5) Shri L. N. Sudhanshu, M. L. A.—*Member*,
- (6) Shri Nirapada Mukherji, M. L. A.—*Member*.
- (7) Shri Brajanandan Prasad, M. L. C.—*Member*.
- (8) Shri Lal Narain Sinha, Government Advocate, Bihar—*Member*.
- (9) Shri M. K. Sinha, I. P., Inspector-General on Special Duty—*Member*.
- (10) Shri A. K. P. Sinha, Retired Deputy Inspector-General—*Member*.

Shri M. K. Sinha, I. P., Inspector-General on Special Duty will act as Secretary to the Commission.

2. The Commission will enquire and report on the following :—

- (i) Whether the strength of the Police force, in the technical and non-technical branches, both armed and unarmed, is adequate; whether revised yardsticks, if any, need be fixed in respect of the strength of different ranks of the Police force, their territorial areas of jurisdiction and what definition of powers and duties of the different ranks is necessary to make the force suited to modern needs; and whether the pattern of staffing of Police offices is also adequate and any changes are essential, and also the financial aspects of the present force and yardsticks proposed;

- (ii) The changes that are necessary in regard to recruitment, training, disciplinary control and other conditions of service with a view to make the force more effective in the task of prevention and detection of crime and the prosecution of cases ;
 - (iii) Whether the rural police as constituted at present is effective in the performance of police duties in the rural areas; whether any change is necessary in the strength, organisation, training and conditions of service of rural police, and how in the context of the new decentralised administrative set-up with the Gram Panchayats functioning all over the State the efforts of the district and the rural police and those of the Gram Panchayats can be integrated in tackling crime ;
 - (iv) Whether the general supervision exercised by the magistracy over the police, particularly in view of the separation of the executive and the judiciary, and the control of superior police officers, including Circle Inspectors, over the investigation of crime and other police duties are adequate and on the right lines; what improvements, if any, have to be effected in this control and supervision.
 - (v) Whether corruption is prevalent among the various ranks of the police force and, if so, the extent of it and the measures to be adopted to remove corruption ;
 - (vi) Whether the form of statistical returns now adopted is satisfactory or capable of improvement and whether the use to which such returns are put as tests of police working is appropriate ; whether also any improvements are necessary in the registers and other records maintained in the police stations and other police offices, for compiling the data regarding crimes and criminals ;
 - (vii) The measures to be adopted so that the police may evoke the willing co-operation and respect from the people in carrying out their duties.
3. The Commission may also analyse and report upon any other important problem which comes to their notice in the course of their enquiries on the matters mentioned above and make their own recommendation on such problem.
4. ORDER.—Ordered that a copy of this Resolution be communicated to the Chairman and members of the Commission/Secretary to the Governor/Cabinet Secretariat/Secretary to the Chief Minister/Private Secretaries to all Ministers/Personal Assistants to all Deputy Ministers/all Departments of Government/Registrar, High Court, Inspector-General of Police and other Heads of Departments/all Commissioners of Divisions and all District Officers.
5. Ordered also that the Resolution be published in the *Bihar Gazette* for general information.

By order of the Governor of Bihar,

M. S. RAO,

Chief Secretary to Government.

APPENDIX II.

TABLE OF WITNESSES AND SITTINGS.

Number of persons from whom replies to the questions were received.	Number of those in column 1 who were examined orally.	Number of persons examined orally who sent no reply to written questions.	Total number of witnesses examined (Col. 2 + 3).	Total number of the sittings of the Commission.	Places at which the sittings of the Commission were held.
1	2	3	4	5	6
328	138	110	278	213	Patna, Jamshedpur, Dhanbad, Bhagalpur, Muzaffarpur and Ranchi.



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APPENDIX III.

PROPOSED POLICE DISTRICTS.

Serial no.	Headquarters of proposed Police Districts.	Jurisdiction of the proposed Police District.	Area in square miles (1951 census).	Population (1951 census).	Average of total cognizable crime (1954—1958).
1	2	3	4	5	6
1	Dinapur	.. Dinapur and Sadar Subdivisions of Patna ..	788	8,78,393	3446.6
2	Patna City	.. Corporation area of Patna Town ..	22	2,83,479	
3	Bihar Sharif	.. Bihar and Barh Subdivisions of Patna ..	1,354	13,66,400	2377.8
4	Gaya	.. Sadar and Nawada Subdivisions of Gaya ..	2,862	17,91,817	2093.0
5	Aurangabad	.. Jehanabad and Aurangabad Subdivisions of Gaya ..	1,877	12,78,682	1185.4
6	Sasaram	.. Sasaram and Bhabhua Subdivisions of Shahabad ..	2,720	12,66,416	2409.6
7	Arrah	.. Sadar and Buxar Subdivisions of Shahabad ..	1,603	14,22,024	3435.2
8	Chapra	.. Sadar Subdivision of Saran ..	1,043	12,56,306	1226.4
9	Siwan	.. Siwan and Gopalganj Subdivisions of Saran ..	1,635	18,98,838	1690.8
10	Darbhanga	.. Sadar and Samastipur Subdivisions of Darbhanga ..	2,006	24,07,835	2175.8
11	Madhubani	.. Madhubani Subdivision of Darbhanga ..	1,504	13,61,699	1137.8
12	Hazaribagh	.. Sadar and Chatra Subdivisions (excluding Kodarma Police Circle) of Hazaribagh.	3,721	9,03,000	1204.6
13	Giridih	.. Giridih Subdivision and Kodarma Police Circle of Hazaribagh.	3,273	10,34,210	1621.3
14	Dumka	.. Sadar, Deoghar and Jamtara Subdivisions of the Santhal Parganas.	3,121	12,50,080	2364.6
15	Sahibganj	.. Sahibganj, Godda and Pakur Subdivisions of the Santhal Parganas.	2,399	10,72,012	1327.0
16	Monghyr	.. Sadar and Jamui Subdivisions of Monghyr ..	2,471	14,70,283	2199.6
17	Begusarai	.. Begusarai and Khagaria Subdivisions of Monghyr ..	1,472	13,78,844	1221.0
18	Champaran	.. No change	3,525	25,15,343	2303.0
19	Muzaffarpur	.. Ditto	3,018	35,20,739	3191.4
20	Bhagalpur	.. Ditto	2,179	14,29,069	2723.0
21	Saharsa	.. Ditto	2,088	13,08,198	1573.4
22	Purnea	.. Ditto	4,299	22,52,159	3516.8
23	Ranchi	.. Ditto	7,015	18,61,207	2383.8
24	Dhanbad	.. Ditto	1,114	9,05,783	2686.8
25	Palamau	.. Ditto	4,930	9,85,767	1338.2
26	Singhbhum	.. Present and Rural Area of Jamshedpur ..	5,043	14,80,816	1054.2
27	Jamshedpur	.. The five town Police-Stations (Urban area of Bistapur, Sakchi, Golmuri, Jugsalai and Mango Police-Stations).	80	2,04,379	1469.4
Total			67,162	3,87,83,778	53446.5

NOTE.—Figures in column 6 have been quoted from the data supplied by the Superintendents of Police.

APPENDIX IV. **DISTRIBUTION OF VEHICLES.**

A. PRESENT DISTRIBUTION.

Serial no.	Type of vehicles.	District.	Range.	Provincial Reserve Head-quarters.	Criminal Investigation Department.	Special Armed Police.	Mounted Armed Police.	Total.	Remarks.
1	2	3	4	5	6	7	8	9	10
1	3 Tonners	..	33	4	7	..	58	6	108
2	Pick-up ..	..	190	12	8	2	10	..	222
3	Cars ..	..	..	..	2	..	..	..	2
4	Jeep ..	..	24	8	16	..	5	..	53
5	Station Wagon	..	..	..	3	1	..	..	4
6	Prisoners Van	..	15	1	..	..	..	..	16
	Total	..	262	25	36	3	73	6	405

B. PROPOSED DISTRIBUTION OF VEHICLES.

Serial no.	Type of vehicles.	Spec-armed police.	Mount-armed police.	Dis-armed police.	Intelli-gence branch.	Criminal Investi-gation Depart-ment.	Con-trol room.	Train-ing insti-tution.	Dog squad.	State Re-serve.	Range Re-serve.	Districts (25).	City Police organisa-tions, Patna and Jamshed-pur.	Total.	Remarks.
1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16
1	Motor Bike	..	..	25	..	..	..	..	..	4	..	6 (with side car for traffic in cities above a population of 15,000).	5	40	
2	Pick-ups ..	10	..	50 +3 (Rly. Police Dis-trict).	1	1+2 (Mobile Labora-tory).	6	1	4	8	12	118 (for Circles). 25 (for mobile laboratory). 6 (for traffic enfor-cement). 25 (Selected Police Stations).	12*	284	*Control Room. Crime Sta-tion. Traffic .. Mobile La-boratory. Armed Police. Total.. 12
3	Jeeps ..	5	..	25	..	..	..	..	..	17	6	..	2	55	
4	Power Wagons.	45	..	25	..	..	..	..	..	..	..	..	..	70	
5	3 Tonners	15	4	50 +3 (Rly. Police Dis-trict).	..	..	..	2	..	7	3	..	6	90	
6	Prisoners' Van.	..	..	..	..	..	..	..	..	..	..	19	2	21	
7	Station Wagon.	..	..	..	1	2	13 (Radio Patrol Cars).	1	..	3 (I.G. W.T.)	..	..	8 (Radio Patrol Cars +2 (Staff Cars).	30	
8	Cars	..	..	..	1	..	..	..	..	4 (VIP)	..	..	..	5	
	Total	..	75	4	181	3	5	19	4	4	43	21	191	35	595

APPENDIX V.

CODE OF CONDUCT FOR THE POLICE.

1. The police must bear faithful allegiance to the Constitution of India and respect and uphold the rights of the citizens as guaranteed by it.

2. The police are essentially a law enforcing agency. They should not question the propriety or necessity of any duly enacted law. They should enforce the law firmly and impartially, without fear or favour, malice or vindictiveness.

3. The police should recognise and respect the limitations of their powers and functions. They should not usurp or even seem to usurp the function of the judiciary and sit in judgment on cases. Nor should they avenge individuals and punish the guilty.

4. In securing the observance of law or in maintaining order, the police should use the methods of persuasion, advice and warning. Should these fail, and the application of force become inevitable, only the absolute minimum required in the circumstances should be used.

5. The primary duty of the police is to prevent crime and disorder and the police must recognise that the test of their efficiency is the absence of both and not the visible evidence of police action in dealing with them.

6. The police must recognise that they are members of the public, with the only difference that in the interest of the community and on its behalf they are employed to give full-time attention to duties which are normally incumbent on every citizen to perform.

7. The police should realise that the efficient performance of their duties will be dependent on the extent of ready co-operation they receive from the public. This, in turn, will depend on their ability to secure public approval of their conduct and actions and to earn and retain public respect and confidence. The extent to which they succeed in physical public co-operation will diminish proportionately the necessity of the use of obtaining force or compulsion in the discharge of their functions.

8. The police should be sympathetic and considerate to all people and should be constantly mindful of their welfare. They should always be ready to offer individual service and friendship and render necessary assistance to all without regard to their wealth or social standing.

9. The police shall always place duty before self, should remain calm and good humoured whatever be the danger or provocation and should be ready to sacrifice their lives in protecting those of others.

10. The police should always be courteous and well-mannered; they should be dependable and unattached; they should possess dignity and courage; and should cultivate character and the trust of the people.

11. Integrity of the highest order is the fundamental basis of the prestige of the police. Recognising this, the police must keep their private lives scrupulously clean, develop self-restraint and be truthful and honest in thought and deed in both personal and official life, so that the public may regard them as exemplary citizens.

12. The police should recognise that they can enhance their utility to the administration and the country only by maintaining a high standard of discipline, unstinted obedience to the superiors and loyalty to the force and by keeping themselves in a state of constant training and preparedness.

APPENDIX VI.

AMENDED RULE 621 OF POLICE MANUAL.

(a) *Requisition for Armed or Military Police for dealing with unlawful assemblies.*—The services of the armed police reserve, the mobilisation contingent of the military police on deputation to a district can be requisitioned only by the District Magistrate in accordance with the provisions of Police Manual rules 614 and 619, and the Military Police Manual rule 5 for use in the district in emergency in the circumstances described in Chapter IX of the Code of Criminal Procedure. If the District Magistrate is absent and it is desirable that prompt action should be taken, the Superintendent of Police can move the District Armed Police Reserve, on his own responsibility, informing the District Magistrate as speedily as possible. On receipt of such a requisition, or on receipt of a requisition from the Inspector-General of Police under Police Manual rule 615 or the Military Police Manual rule 5, the Commandant or Superintendent, as the case may be, shall, unless he has received a requisition for a definite number of officers and men, decide in consultation with the requisitioning officer the strength of the party to be supplied. He shall see that the men are properly armed and equipped and that they are supplied with ammunition, i.e., 5 rounds of buck-shot for use only on sentry duty at night and 20 of ball per man, which shall be kept in separate pouches in the case of the District Armed Police, and 20 rounds of ball per man for the Bihar Military Police. He shall also see that the detachment carries adequate reserves of ammunition.

In no circumstances shall blank ammunition be carried.

(b) When an Inspector or officer of lower rank considers the presence of an armed force in his jurisdiction necessary, he shall make an application through the Subdivisional Magistrate to the Superintendent for a party of the District Armed Reserve. Except in grave emergency, he shall not organise without the previous sanction of the Subdivisional Magistrate and the Superintendent an armed party of local police for use in the interior, nor use the emergency arms kept at a police-station, otherwise than for reinforcing the Treasury Guards or for guarding the police-station or other Government buildings.

(c) *Deputation of Magistrates.*—Whenever a detachment of armed police party is deputed, the District Magistrate, Subdivisional Magistrate or a magistrate specially selected by the District Magistrate shall accompany it unless it is impossible to do so. (Deputation of a magistrate should not, however, ordinarily be required to be made for accompanying armed police parties deputed on anti-crime patrols, etc.)

(d) *Disposition of force.*—The disposition of the force shall be left to the discretion of the police officer in command to meet the varying conditions that may present themselves.

(e) *As a rule, however, the following principles shall be observed.*—(i) The party shall be halted in two ranks at 100 yards, or other convenient distance from the scene of the disturbance of the place where the mob is collected and bayonets shall be fixed at once.

(ii) Every precaution should be taken that a force armed with fire-arms is not brought so close to a large and dangerous mob as to risk either its being overwhelmed by numbers or being forced to inflict heavy casualties. If the use of fire-arms cannot be avoided, firing should be carried out from a distance, sufficient to obviate the risk of being rushed and to enable strict fire control to be maintained, i.e., between 50 and 100 yards. Firing must on no account be deferred until the

mob has approached within 50 yards of the armed force. In case of street riots, efforts should be made to halt the crowd as far away as possible—alternatively the armed police party should take position well away from the mob. Every possible effort should be made to avoid firing at point blank range, as it is likely to cause considerable loss of life. In any case, aim must necessarily be low.

(iii) For purposes of fire control, the force should be told off into sections of not more than 10 men, each with a responsible commander.

(iv) If men have to be posted so as to face different ways they should not be faced about in one line, but line should be formed facing different ways with a clear space between them, so as to enable the officer in command to move between the lines, and thus exercise control.

(v) The police officer in executive command of the force shall on no account leave it to parley or to arrest leaders in the mob or for any other purpose.

(f) Neither the warning party referred to in rule (g) (i) nor the main body shall advance in skirmishing order, unless it is strongly supported. The police officer in command should also remember that as far as practicable half his men should always have their weapons loaded when an attack is anticipated. It must be ensured that the rifles when loaded should have the safety catches in the 'on' position.

(g) *Warning to unlawful assembly.*—(i) When it becomes necessary to take action under section 127 of the Code of Criminal Procedure, the magistrate, or, if no magistrate is present, the police officer in charge should cause the riot flag, if available, to be hoisted well in view of the mob and in a manner so that the inscriptions on the flag are clearly visible. Thereafter a long note should be sounded on the bugle, or, if no bugle is available, on the whistle to draw attention to the warning. The blast of the whistle should be both intermittent and sustained. The magistrate, or, if no magistrate is present, the police officer in charge shall then command the unlawful assembly to disperse, and warn it that if it does not disperse it will be dispersed by force. In order to guard against all misunderstandings it should be ensured that fullest warning is given whenever possible to the mob before any order is given to fire, and to take the most effectual means to explain beforehand to the people constituting the unlawful assembly that, in the event of the police party being ordered to fire, their fire will be effective. He may either warn the unlawful assembly personally, or may send out the senior non-commissioned officer with a party of not less than two riflemen for the purpose, to within speaking distance of the unlawful assembly, but if he is the police officer in executive command, he must convey the warning without leaving the armed force.

The riot flag referred to above should have the following inscriptions: "The mob should disperse immediately. If not, it will be shot at with guns."

The warning should be administered as follows: "The gathering there is an unlawful assembly. You must at once disperse. If you do not disperse, the police will open fire against you. This will cause loss of lives. Hence disperse immediately, disperse immediately, disperse immediately."

NOTE.—The words 'police officer-in-charge' occurring in sub-clauses (g) (i), (h)(ii) and (h)(iv) have been defined in sections 4(p) and 551 of the Code of Criminal Procedure.

(ii) Signals shall be arranged by which the parleying magistrate may direct the police officer in executive command to open fire, without waiting until he is within hearing distance; and the parleying section commander, when there is no magistrate, may show that he cannot extricate his party.

(iii) After this warning has been given and if it produces no effect the main body shall move up to within 100 yards of the warning party, if one has been sent out, or the warning party shall fall back on the main body or take cover, taking care in either case to avoid masking the fire of the main body.

(h) *Dispersal by force.*—(i) If upon being so commanded any such assembly does not disperse, or if, without being so commanded, it conducts itself in such a way as to show a determination not to disperse, the magistrate, or if no magistrate is present, the police officer-in-charge shall proceed to disperse the unlawful assembly by force.

(ii) Both the magistrate and the officer-in-command of the police party are, or if no magistrate is present, the police officer-in-charge is, responsible for seeing that the force used is the minimum necessary to disperse the unlawful assembly, protect life and property, and secure the safety of the police party.

(iii) If a lathi charge is ordered and there is a prospect that further force will be required to disperse the mob, the charge shall be made from a flank if possible; if not possible, every effort shall be made so to direct the charge that the armed force can open fire as soon as it becomes necessary.

(iv) Fire shall only be opened if the magistrate, or if no magistrate is present, the police officer-in-charge deems it absolutely necessary to open fire for the protection of life and property. In case a tear smoke squad has to go into action, instructions contained in the Tear Smoke Manual should be followed.

(i) *Responsibility of Magistrates.*—If a magistrate is present the responsibility for using force against, or opening fire on, an unlawful assembly will rest with him and he will direct the police officer-in-command to use force or open fire. When the magistrate has ordered the police officer-in-command to disperse an unlawful assembly by force or to open fire on it, he shall not ordinarily fetter the discretion of that officer in making his dispositions for carrying out the order.

(j) *Responsibility of Police Officer-in-Command.*—(i) The actual order to fire shall invariably be given by the police officer-in-command of the party or under his special instruction, conveyed (if possible in writing) to a junior officer-in-charge of a party detached from the main body.

(ii) The order to cease fire shall be given by the officer-in-command as soon as the mob shows a disposition to retire or disperse. The magistrate, or, in his absence the police officer-in-charge of a police station as defined under section 4(p) of the Code of Criminal Procedure or an officer superior to him as defined under section 551 of the Code of Criminal Procedure will also have power to order fire to cease. (The magistrate, if present, will also have power to order fire to cease.)

(k) *Firing to be effective.*—(i) When firing is necessary it shall be at once effective. Firing shall not commence before it can be effective nor be deferred until the rioters are so close that there is risk of the police party being overwhelmed. In no circumstances may blank ammunition or buck-shot be used. In the case of the armed police fire may be opened between the limits of 50 to 100 yards and the case of

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the military police between 50 to 200 yards. Firing in the air or over the head of a riotous mob is forbidden.

(ii) In firing on the unlawful assembly the men shall be instructed to aim low and away from the direction of persons separated from it.

(iii) As far as possible fire shall be directed at the ring leaders or the more violent members or portion of the assembly. The police officer-in-command may order firing by special individuals of the party or by files or by sections or, if necessary, by volleys according to the requirements of the situation, but if volleys are fired, not more than half the party shall fire at a time. He is specially required to make no greater effort than the circumstances of the case require, and to rely upon the firing of specified individuals or of files, unless the attitude of the mob is such as to make it imperative for the protection of his men, or for the protection of the life and property of others, to direct sections to fire or a volley to be fired.

(iv) Officers and men responsible for firing shall act on the principle of good faith. Necessity, Minimum Force and Impartiality shall be three constituents of good faith. When the responsibility of opening fire is assumed, the main concern shall be the application of minimum force consistent with the purpose in view, and impartiality. Rapid fire shall never be used if slow fire will suffice.

(l) *Action after dispersal of mob.*—When an unlawful assembly has been dispersed by force the dead and wounded shall be sent as quickly as possible to hospital, and thereafter the magistrate and the police-officer-in command shall jointly draw out an accurate report of all that transpired, noting the rounds issued and expended and every thing in minute detail; the former shall send copies by the quickest means possible to the District Magistrate, Commissioner and Chief Secretary and the latter to the Superintendent, Deputy Inspector-General and Inspector-General.

In all cases in which firing is resorted to by the police, whether in the presence or in the absence of a Magistrate the District Magistrate, accompanied by the Superintendent of Police, should visit the locality to look into the circumstances of firing and the extent to which the relevant Police Manual Rules and executive instructions have been observed. A copy of the confidential report of the District Magistrate's finding shall be sent by him to the Commissioner, Chief Secretary, Superintendent, Range Deputy Inspector-General and the Inspector-General of Police with as little delay after the firing as possible.

The written report shall be preceded by an express telegram to all the above-named officers giving a concise account of the affair.

In all cases in which fire is opened under the orders of a District Magistrate, an Additional District Magistrate, a Superintendent of Police or an Additional Superintendent of Police or a Commandant, the Divisional Commissioner, accompanied by the Range Deputy Inspector-General of Police should visit the locality to look into the circumstances of firing and the extent to which the relevant Police Manual rules and executive instructions have been observed. A copy of confidential report of the Commissioner's finding shall be sent by him to the Chief Secretary, Range Deputy Inspector-General of Police and the Inspector-General of Police with as little delay after the firing as possible.

In all other cases of firing of serious nature, the Divisional Commissioner and the Range Deputy Inspector-General of Police should visit the locality immediately after firing in order to look into the matter generally, and to give such guidance

to the local officers regarding enquiry, relief and institution of cases, etc., as may be considered suitable and necessary.

(m) It is very necessary that men of the military police, armed reserve and mobilization force shall be practised in dealing with riots in diversified localities, e. g., in town or village streets, standing crops and so forth.

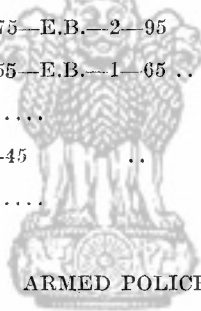
Such training and refresher training for this purpose should be organised at regular intervals by the Commandant or the Superintendent.

(n) The Commandant or Superintendent shall see that the police officer-incharge of every detachment is supplied with a copy of this rule.



APPENDIX VII.

PRESENT AND PROPOSED SCALES OF PAY AND COST OF LIVING ALLOWANCES.

Serial no.	Ranks.	Present pay-scales.	Proposed pay-scales.
1	Deputy Superintendent of Police.	Rs. 220—25—320—E.B.—25—670—20—750.	Rs. 280—25—405—E.B.—30—675—E.B.—25—900.
2	Chief Inspector ..	....	Rs. 230—20—350—E.B.—20—450—25—600.
3	Sergeant-Major ..	Rs. 175—12—235—E.B.—15—400 ..	....
4	Inspector ..	Rs. 175—12—235—E.B.—15—400 ..	....
5	Inspector (Senior) ..	....	Rs. 225—15—300—E.B.—15—480.
6	Inspector (Junior) ..	....	Rs. 180—7—208—E.B.—8—280.
7	Assistant Inspector ..	....	Rs. 140—5—170—E.B.—7—240.
8	Sub-Inspector ..	Rs. 100—5—130—E.B.—6—190 ..	....
9	Assistant Sub-Inspector ..	Rs. 55—2—75—E.B.—2—95 ..	....
10	Havildar ..	Rs. 45—2—55—E.B.—1—65 ..	....
11	Head Constable ..	....	Rs. 95—2—105—E.B.—3—135.
12	Constable ..	Rs. 30—1—45 ..	Rs. 65—1—75—2—95—3—110.
13	Map and Plan Drawers ..	....	Rs. 130—5—160—E.B.—6—220—10—300.
 ARMED POLICE			
1	Sergeant-Major ..	Rs. 175—12—235—E.B.—15—400 ..	....
2	Subedar-Major ..	Rs. 175—12—235—E.B.—15—400 ..	Rs. 225—15—300—E.B.—15—480.
3	Subedar ..	Rs. 175—12—235—E.B.—15—400 ..	Rs. 225—15—300—E.B.—15—480.
4	Sergeant ..	Rs. 150—10—230—E.B.—15—350 ..	....
5	Ressaildar ..	Rs. 125—8—205—E.B.—9—250 ..	Rs. 225—15—300—E.B.—15—480.
6	Jamadar ..	Rs. 100—5—130—E.B.—6—190 ..	Rs. 140—5—170—E.B.—7—240.
7	Dafadar ..	Rs. 45—2—55—E.B.—1—65 ..	Rs. 95—2—105—E.B.—3—135.
8	Havildar ..	Rs. 45—2—55—E.B.—1—65 ..	....
9	Head Constable ..	....	Rs. 95—2—105—E.B.—3—135.
10	Naik ..	Rs. 30—1—45 ..	Rs. 65—1—75—2—95—3—110.
11	Lance Naik ..	Rs. 30—1—45 ..	Rs. 65—1—75—2—95—3—110.
12	Writer Naik ..	Rs. 30—1—45 ..	Rs. 65—1—75—2—95—3—110.
13	Sepoy ..	Rs. 30—1—45 ..	Rs. 65—1—75—2—95—3—110.
14	Cobbler and Tailor ..	Rs. 30—1—45 ..	Rs. 65—1—75—2—95—3—110.
15	Cooks and servants ..	Rs. 17½—½—25½ ..	Rs. 50—½—55.

APPENDIX VII—*contd.*

Serial no.	Ranks.	Present pay-scales.	Proposed pay-scales.
16	Farrier ..	Rs. 30—1—45 ..	Rs. 65—1—75—2—95—3—110.
17	Compounder ..	Rs. 45—2—55—E.B.—2—75 ..	Rs. 95—2—105—E.B.—3—135.
18	Saddler ..	Rs. 30—1—45 ..	Rs. 65—1—75—2—95—3—110.
19	Trumpeter ..	Rs. 30—1—45 ..	Rs. 65—1—75—2—95—3—110.

TECHNICAL STAFF (TRANSPORT)

A. WORKSHOP—

1	Head Driver Mechanic	Rs. 30—1—45 ..	Rs. 95—2—105—E.B.—3—135.
2	Fitter ..	Rs. 100—5—130—E.B.—6—190 ..	Rs. 140—5—170—E.B.—7—240.
3	Assistant Fitter	Rs. 50—2—70—E.B.—2—90 ..	Rs. 95—2—105—E.B.—3—135.
4	Painter-Smiths	Rs. 100—5—130—E.B.—6—190 ..	Rs. 140—5—170—E.B.—7—240.
5	Upholsterer ..	....	Rs. 65—1—75—2—95—3—110.

B. DRIVER STAFF—

1	Sub-Inspector	Rs. 100—5—130—E.B.—6—190 ..	....
2	Driver ..	Rs. 30—1—45 ..	Rs. 65—1—75—2—95—3—110.
3	Assistant Driver	Rs. 30—1—45 ..	Rs. 65—1—75—2—95—3—110.
4	Mechanic ..	Rs. 100—5—130—E.B.—6—190 ..	....

C. MOTOR PATROL
LAUNCHES—

1	Sarang ..	Rs. 45—2—55—E.B.—2—75 ..	Rs. 85—2—95—E.B.—1—105
2	Constable Driver	Rs. 40—2—50—E.B.—1—60 ..	Rs. 70—2—90—1—95.
3	Constable Laskar	Rs. 17½—½—25½ ..	Rs. 50—½—55.

STATE FIRE SERVICE

1	Superintendent of Police	....	Rs. 600—40—1,000—50/2—1,150 (I.P.S. (Selection grade—Rs. 1,250).
2	Deputy Superintendent of Police.	Rs. 220—25—320—E.B.—25—670—20—750.	Rs. 280—25—405—E.B.—30—675—E.B.—25—900.
3	Sub-Inspector	Rs. 100—5—130—E.B.—6—190 ..	....
4	Station Officer (Inspector Junior).	....	Rs. 180—7—208—E.B.—8—280.
5	Station Sub-Officer (Assistant Inspector).	....	Rs. 140—7—170—E.B.—7—240.
6	Fireman (Constables) ..	Rs. 30—1—45 ..	Rs. 65—1—75—2—95—3—110.
7	Orderly peon ..	Rs. 30—1—45 ..	Rs. 65—1—75—2—95—3—110.

APPENDIX VII—*con'd.*

Serial no.	Ranks.	Present pay-scales.	Proposed pay-scales.
PROSECUTION CADRE.			
1	State Director of Prosecutions.	....	Monthly pay of Rs. 2,000.
2	District Director of Public Prosecutions.	....	Rs. 1,000—60—1,300—50—1,600.
3	Senior D. P. ..	Rs. 220—25—320—E.B.—25—670—20—750.	....
4	D. P. ..	Rs. 200—10—250—15—325—E.B.—15—400—10—450.	Rs. 280—25—405—E.B.—30—675—E.B.—25—900.
5	A. D. P. ..	Rs. 125—8—205—E.B.—15—265—10—275.	Rs. 240—10—300—E.B.—15—375—E. B.—15—450—20—530.
6	Orderly Peon ..	....	Rs. 65—1—75—2—95—3—110.
TECHNICAL WING OF THE C.I.D.			
A. POLICE LABORATORY—			
1	Director .. ..	....	Rs. 280—25—405—E.B.—30—675—E.B.—25—900.
2	Senior Expert ..	Rs. 175—12—235—E.B.—15—400 ..	Rs. 225—15—300—E.B.—15—480.
3	Junior Expert ..	Rs. 150—10—230—E.B.—15—350	Rs. 200—12—320—E.B.—15—425.
B. PHOTO BUREAU—			
1	Director .. ..	....	Rs. 280—25—405—E.B.—30—675—E.B.—25—900.
2	Senior Expert ..	Rs. 175—12—235—E.B.—15—400 ..	Rs. 225—15—300—E.B.—15—480.
3	Junior Expert (Grade I) ..	Rs. 150—10—230—E.B.—15—350 ..	Rs. 200—12—320—E.B.—15—425.
C. FINGER PRINT BUREAU—			
1	Director	Rs. 220—25—320—E.B.—25—670—20—750.	Rs. 280—25—405—E.B.—30—675—25—900.
2	Senior Expert ..	Rs. 175—12—235—E.B.—15—400 ..	Rs. 225—15—300—E.B.—15—480.
3	Junior Expert ..	Rs. 150—10—230—E.B.—15—350 ..	Rs. 200—12—320—E.B.—15—425.
4	Searcher and tester ..	....	Rs. 90—4—110—3—140.
E. STATISTICAL SECTION—			
1	Statistical Officer ..	Rs. 200—25—350—E.B.—20—450 ..	Rs. 240—15—390—E.B.—20—530.
2	Junior Statistical Assistant.	Rs. 100—5—130—E.B.—6—190 ..	Rs. 140—5—170—E.B.—7—240.
3	Statistical Computer ..	Rs. 75—4—95—5—120—3—150 ..	Rs. 110—4—130—E.B.—5—160—3—190.

APPENDIX VII—*con'd.*

Serial no.	Ranks.	Present pay-scales.	Proposed pay-scales.
POLICE RADIO			
1	Deputy Superintendent of Police.	Rs. 220—25—320—E.B.—25—670—20—750.	Rs. 280—25—405—E.B.—30—675—25—900.
2	Inspector	Rs. 175—12—235—E.B.—15—400 ..	Rs. 325—10—385—E.B.—15—475.
3	Supervisor (Tech.)	....	Rs. 210—10—290—15—320—E.B.—15—425.
4	Supervisor (Oper.)	....	Rs. 210—10—290—15—E.B.—15—425.
5	Technician .. ..	....	Rs. 150—10—250—E.B.—10—290—15—335—E.B.—15—380 (plus proficiency pay of Rs. 20).
6	Storeman .. ..	....	Rs. 150—10—250—E.B.—10—290—15—335—E.B.—15—380.
7	Operator (Senior) ..	....	Rs. 150—5—160—8—240—E.B.—8—280—10—300 (plus proficiency pay of Rs. 40).
8	Operator (Junior) ..	....	Rs. 150—5—160—8—240—E.B.—8—280—10—300 plus (proficiency pay of Rs. 20).
9	Assistant Storeman ..	....	Rs. 150—5—160—8—240—E.B.—8—256—E.B.—8—280—10—300.
10	Workshop Assistant ..	....	Rs. 150—5—175—6—205.
11	Draughtsman .. ..	....	Rs. 130—5—160—6—190—E. B.—8—230.
12	Fitter .. ..	....	Rs. 125—3—131—4—155.
13	Fitter Battery .. ..	....	Rs. 125—3—131—4—155.
14	Fitter Engine .. ..	....	Rs. 125—3—131—4—155.
15	Carpenter .. ..	....	Rs. 125—3—131—4—155.
16	Painter .. ..	....	Rs. 125—3—131—4—155.
17	Tin Smith .. ..	....	Rs. 125—3—131—4—155.
18	Workshop Hand .. ..	....	Rs. 125—3—131—4—155.
19	Mast Lasker .. ..	....	Rs. 125—3—131—4—155.
20	Sub-Inspector	Rs. 100—5—130—E.B.—6—190 plus special pay of Rs. 15.	....
21	Assistant Sub-Inspector	Rs. 55—2—75—E.B.—2—95, plus special pay of Rs. 10.	....
22	Messenger .. ..	....	Rs. 50— $\frac{1}{2}$ —55.
23	Civilian orderlies .. ..	....	Rs. 50— $\frac{1}{2}$ —55.
24	Literate constable operators.	Rs. 30—1—45, plus special pay of Rs. 10	....
25	Constable orderlies	Rs. 30—1—45 .. ..	....

APPENDIX VII—concl'd.

PRESENT RATES OF COST OF LIVING ALLOWANCE.

I. Non-gazetted and married gazetted staff.

Pay.	Rates of C. L. A. per month.
Pay not exceeding Rs. 100	40 per cent of pay subject to a minimum of Rs. 17.50 and maximum of Rs. 25.
Pay exceeding Rs. 100 but not exceeding Rs. 200 ..	25 per cent of pay subject to a maximum of Rs. 45.
Pay exceeding Rs. 200 but not exceeding Rs. 300 ..	20 per cent of pay subject to a minimum of Rs. 45.
Pay exceeding Rs. 300 but not exceeding Rs. 1,000..	17½ per cent of pay subject to a minimum of Rs. 60 and maximum of Rs. 100.

II. Unmarried Gazetted Staff.

Pay not exceeding Rs. 1,000	10 per cent of pay to a minimum of Rs. 25 and maximum of Rs. 75.
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III. Additional cost of living allowance from 1st January 1949.

(1) Admissible to non-gazetted and gazetted Government servants married and unmarried, drawing pay up to Rs. 250 at the flat rate of Rs. 5 per month with marginal relief to non-gazetted and married gazetted staff drawing pay exceeding Rs. 250 but not exceeding Rs. 275 and unmarried gazetted staff drawing pay exceeding Rs. 250 but not exceeding Rs. 300.

(2) Admissible from 1st July 1958 to non-gazetted staff whose pay and cost of living allowance do not exceed Rs. 100 at the rate of Rs. 5 per month.

(3) Admissible from 1st April 1960 to all Government servants whose basic pay does not exceed Rs. 250 at the rate of Rs. 10 per month with marginal relief in the case of those whose basic pay is between Rs. 250 and Rs. 259.

Proposed Dearness Allowance.

Rate.	Pay.
(1) At the rate of Rs. 10	Below Rs. 150.
(2) At the rate of Rs. 20	Rs. 150—Rs. 300.

(Marginal adjustment between Rs. 301 to 320.)

APPENDIX VIII

SPECIAL PAY.

Serial no.	Designation of the post.	Present special pay.	Proposed special pay.
		Rs.	Rs.
1	A. I.-G. of Police (A)	200	200
2	A. I.-G. of Police (B)	150	200
3	A. I.-G. of Police	150	200
4	Superintendent of Police (A), State Intelligence Branch... ..	200	200
5	Superintendent of Police (B), State Intelligence Branch	100	200
6	Superintendent of Police, Security and Training, State Intelligence Branch ..	100	200
7	Superintendent of Police, Crime Branch	100	200
8	Superintendent of Police, Anti-Dacoity	100	200
9	Superintendent of Police, Railway Districts	150	150
10	Commandants of Special Armed Police Battalions .. .. .	..	150
11	Principal, Training Institution	100	100
12	Commissioner of Police, Patna .. .. .	..	250
13	Superintendent of Police, Jamshedpur .. .. .	..	150
14	State Police Radio Officer .. .. .	..	200
15	Deputy/Assistant Superintendents of Police—		
	(i) State Intelligence Branch, C. I. D.	20 per cent of pay subject to a maximum of Rs. 75.	75
	(ii) Jamshedpur .. .. .	..	75
	(iii) Railways .. .. .	..	75
	(iv) Training Institutions .. .. .	..	75
	(v) Special Armed Police .. .. .	..	75
	(vi) Assistant Commissioners, Patna City .. .. .	..	150
16	Chief Inspectors—		
	(i) C. I. D.	New ranks	60
	(ii) Training Institutions		
	(iii) Railway Police		
	(iv) Patna and Jamshedpur		
	(v) Special Armed Police		
	(vi) District Crime Bureau		
	(vii) Police Wireless	Ditto	75
	(viii) State Intelligence Branch	Ditto	60

APPENDIX VIII—contd.

Serial no.	Designation of the post.						Present special pay.	Proposed special pay.
							Rs.	Rs.
17	Inspectors (senior and junior scales)—							
	(i) C. I. D.	..	..	..	..	..	New ranks	50
	(ii) Training Institutions	..	..	..	..	..
	(iii) Railway Police	..	..	..	..	..
	(iv) Patna and Jamshedpur	..	..	..	..	..
	(v) District Specialist Investigators	..	..	..	..	..
	(vi) State Intelligence Branch	..	..	..	..	..
18	Assistant Inspectors—							
	(i) C. I. D.	..	..	..	..	..	New ranks	35
	(ii) Training Institution	..	..	..	..	..
	(iii) Railway Police	..	..	..	..	..
	(iv) Patna and Jamshedpur	..	..	..	..	..
	(v) District Specialist Investigators	..	..	..	..	..
	(vi) State Intelligence Branch	..	..	..	..	..
	(vii) District Crime Bureau	..	..	..	..	..
19	Subedars-Majors—							
	(i) D. A. P.	..	..	..	..	..	15 per cent of Pay subject to a maximum of Rs. 50.	60
	(ii) S. A. P.	..	..	..	..	..
	(iii) Training Institution	..	..	..	..	..
20	Head Constables—							
	(i) C. I. D.	..	..	..	..	..	5	7
	(ii) State Intelligence Branch	..	..	..	..	..
	(iii) Training Institution	..	..	..	..	..
	(iv) Railway Police	..	..	..	..	..	..	7
	(v) Police Station	..	..	..	..	..	5	7
	(vi) District Crime Bureau	..	..	..	..	..	5	7
	(vii) Traffic	..	..	..	..	..	..	7
	(viii) T. O. Ps.	..	..	..	..	..	..	7
21	Stenos—							
	(i) Assistant Inspectors	..	..	..	..	..	New rank	35
	(ii) Head Constable	..	..	..	..	..	Dit'o	25

APPENDIX VIII—*contd.*

Serial no.	Designation of the post.	Present special pay.	Proposed special pay.
		Rs.	Rs.
22 Constables—			
	(i) Town Outposts	2	2
	(ii) C. I. D.	3	2
	(iii) Training Institution	3	2
	(iv) State Intelligence Branch	6	2
	(v) District Crime Bureau	3	2
	(vi) Headquarters allowance	3	2
	(vii) Orderly allowance	2	2
	(viii) Traffic allowance	2	2
	(ix) Railway Police .. .. .	..	2
	(x) Nursing Orderlies	3	2
23 Armed Havildars and Naiks—			
	(i) S. A. P.	5	5
	(ii) Training Institution	5	5
	(iii) D. A. P. • .. .. .	..	-
24 Armed Lance Naiks—			
	(i) S. A. P.	7	5
	(ii) D. A. P. .. .. .	..	5
25 Writer Naiks—			
	S. A. P.	20	20
26 Armed Constables—			
	(i) S. A. P.	5	3
	(ii) D. A. P.	3	3
27 Armourer Havildars		35	25
28	(i) Tailors	10	10
	(ii) Cobbler Constables	5	5
	(iii) Bugler of all units	2.3	3
29 Tear Smoke Squad—			
	(i) Jamadar	10	10
	(ii) Havildar	5	5
	(iii) Constables	3	3

APPENDIX VIII—*contd.*

Serial no.	Designation of the post.						Present special pay.	Proposed special pay.
							Rs.	Rs.
30	Mounted Military Police—							
	(i) Ressaildar-Major	..	..	..	..	..	15 per cent of pay subject to a maximum of Rs. 50.	60
	(ii) Remount Daffadar	..	..	..	..	..	25	25
	(iii) Daffadars	..	..	..	..	..	10	10
	(iv) Q. M. Daffadar	..	..	..	..	..	10	10
	(v) Naiks	..	..	..	..	..	5	5
	(vi) Lance Naiks	..	..	..	..	..	2	2
	(vii) Farriers	..	..	..	..	..	6	6
	(viii) Saddlers	..	..	..	..	..	5	5
	(ix) Remount Sowars	..	..	..	..	..	3	3
	(x) Trumpeter	..	..	..	..	..	3	3
	(xi) Wireless Sowars	..	..	..	..	..	5	5
	(xii) Unit Pay to all N. C. Os. and men	..	..	..	..	..	8	8
31	S. A. P. (B. M. P.)—							
	(i) Senior Signaller	..	..	..	..	..	1	1
	(ii) Junior Signaller	..	..	..	..	..	1	1
	(iii) P. T. Instructor Sepoy	..	..	..	..	..	2	2
	(iv) Store-keeper Sepoy	..	..	..	..	..	2	2
	(v) Band Sepoy	..	..	..	..	..	2	2
	(vi) Pipe Major	..	..	..	..	..	10	10
	(vii) Pipers	..	..	..	..	..	2	2
	(viii) Drummer Sepoy	..	..	..	..	..	2	2
32	Transport (Motor Vehicles and Motor Launch)—							
	(i) Head Drivers	..	..	..	..	..	30	25
	(ii) Drivers	..	..	..	..	..	15	20
	(iii) Assistant Drivers	..	..	..	..	..	7	10
33	Wireless Personnel—							
	(Inspector downward)	..	..	..	..	..	(Recommendation of Technical Standards Committee for all ranks).	
	Deputy Superintendent of Police	..	..	..	..	..	20 per cent of pay subject to a maximum of Rs. 75.	100

APPENDIX VII—concl'd.

Serial no.	Designation of the post.	Present special pay.	Proposed. special pay.
		Rs.	Rs.
31 State Fire Service—			
	(i) State Fire Service Officer .. .. .	..	..
	(ii) Assistant State Fire Service Officer .. .. .	..	..
	(iii) Station Officer and Station Sub-Officer .. .. .	..	..
	(iv) Leading Fireman	3	3
35 I.G.'s Office—			
	(a) Accountant	20 per cent of pay	20 per cent of pay.
	(b) Head Typist	20	20
	(c) C. I. D. Accountant	20 per cent of pay	20 per cent of pay.



APPENDIX IX.

HEADGEAR AND BADGES OF RANK.

I. HEADGEAR.

			<i>Working.</i>	<i>Ceremonial.</i>
1. Ist Battalion, Bihar Military Police	..	..	Khaki beret	Wide awake Gurkha hats.
2. II Battalion „ „ „	..	..	Khaki beret	Pugree.
3. V Battalion „ „ „	..	..	Rifle green beret	Saffron plume on beret.
4. VI Battalion „ „ „	..	..	Grass green beret	Yellow plume on beret.
5. VII Battalion „ „ „	..	..	Scarlet beret	Green plume on beret.
6. District Armed Police .. ..	..	..	Khaki beret	Blue plume on beret.
7. Civil Police including Railway Police	..	..	Red beret (I.-G.'s orderlies will wear silver plume).	
8. Traffic Police .. ..	..	..	Pugree with white band.	

The Head Constables should wear the same head dress as prescribed for the constables of their units.

II. BADGES OF RANK.

1. Deputy Superintendent of Police—
 - (a) on probation One 5-pointed Government of India silver star.
 - (b) on confirmation Two 5-pointed Government of India silver stars.
 - (c) with five years' service and more Three 5-pointed Government of India silver stars.
2. Chief Inspectors—
 - (a) on probation One 5-pointed Government of India silver star, miniature size.
 - (b) on confirmation Two 5-pointed Government of India stars, miniature size.
 - (c) with five years' service or more Three 5-pointed Government of India silver stars, miniature size.
3. Inspector of Police (senior scale) and L. Subedar-Major .. State emblem, miniature size, with ribbon as at present prescribed.
4. Inspector of Police (junior scale) Three stars, miniature size, with ribbon.
5. Assistant Inspector of Police Two stars with ribbon.

(While under training and on probation, the Inspectors on junior scale will wear one star with a broad blue ribbon and Assistant Inspectors with white broad ribbon with no shoulder letters.)

III. SHOULDER LETTERS.

Deputy Superintendents and Chief Inspectors will wear B.P. as long as the English letters are retained for the I. P. S. Inspectors and Assistant Inspectors will wear Bihar Police shoulder letters as at present in silver. Head Constables and constables will wear the same shoulder letters in brass.

IV. TIE.

Inspectors and Assistant Inspectors will wear open neck tunic with Khaki tie as long as tie is retained for the superior officers. Chief Inspectors will wear blue ties as prescribed for Deputy Superintendents.

APPENDIX X.

DISTRIBUTION OF THE PRESENT (31ST DECEMBER 1960) AND PROPOSED STRENGTH.

A. INSPECTOR GENERAL AND RANGE DEPUTY-INSPECTORS GENERAL OF POLICE.

Present (1 I.-G., 4 Range D. Is.-G.).

I. G.	D. I.-G.	S. P.	Dy. S. P., A. S. P.	Inspec- tor.	S.-I.	A. S.-I.	Havildar.	Constables.	Remarks.
1	2	3	4	5	6	7	8	9	10
1	4	3	3(a)	..	4	1	1	53 (Orderlies).	

NOTE.—(a) Post of P. P. R. O. and 2 P. As. to range D. Is.-G., Patna and Bhagalpur.

*Proposed (1 I.-G., 3 Range D. Is.-G.).*

	I.-G.	D. I.-G.	S. P.	Dy. S. P., A. S. P.	Chief Insp- ector.	Insp- ector (Senior).	Insp- ector (Junior).	Assistant Insp- ector.	Head Const- able.	Constables.	
	1	2	3	4	5	6	7	8	9	10	11
1. I.-G.'s Staff	1	..	4(b)	..	1(b)	..	..	1	1	26 (Orderlies for Officers and Office).
2. Range D. Is.-G. (Patna, Ranchi and Muzaffarpur).	..	3	..	..	3(c)	..	..	3(d)	3(d)	21 (Orderlies for Officers and Office).
Total	1	3	4	..	4	..	..	4	4	47 (Orderlies)

NOTE.—(b) A. Is.-G. 3, P. P. R. O. 1, and State Welfare Officer 1.

(c) One P. A. to each Range D. I.-G.

(d) One Assistant Inspector and One Head Constable for Crime Readers' Section of D. I.-G.

APPENDIX X—*contd.*

B. DISTRICT EXECUTIVE FORCE.

(i) HEADQUARTERS FORCE (19 POLICE DISTRICTS).

Present.

S. P.	Addl. S. P.	A. S. P., Dy. S. P.	Sub-Inspector.	Assistant Sub- Inspectors.	Constables.	Tailor Const- able.	Cobbler Const- able.
19	6	28	46	48	238	18	18

Proposed (25 Police Districts (excluding City Police District of Patna and Jamshedpur)).

S. P.	Dy. S. P.	Chief Inspector.	Assistant Inspectors.	Head Constables.	Constables.	Tailor Constables.	Cobbler Constables.
25	25(a)	50(b)	25(c)	25(c)	325(d) (Orderlies).	25	25

NOTE.—(a) One Dy. S. P. for each district.

(b) One Chief Inspector for establishment and reserve and one for accounts for each district.

(c) One Assistant Inspector and one Head Constable for Crime Readers' Section.

(d) Four Orderlies for S. P. . . 100
Two Orderlies for D. S. P. . . 50
One Orderly for Chief Inspector 50
Five Orderlies for each office 125

Total . . 325

(ii) SUBDIVISIONAL POLICE POSTS.

Present 27 (21 permanent and 6 temporary).

Deputy Superintendent of Police.	Constables.	Remarks.
Assistant Superintendent of Police.		
27	54 (Orderlies).	

NOTE.—For Assistant Sub-Inspectors, see 'Stenos'.

Proposed (Nil).

(iii) POLICE CIRCLES.

Present 96 (95 permanent and 1 temporary).

Dy. Superintendent of Police.	Inspectors.	Assistant Sub-Inspectors.	Constables.
Assistant Superintendent of Police.			
10(a)	86	96	96 (Orderlies).

NOTE.—(a) 10 posts of Dy. S. P. in the Circles of the reorganised districts of Bhagalpur, Saharsa and Patna.

Proposed (exclude 14 P Ss. of Patna and Jamshedpur).

(118 for 474 P. Ss. at the rate of 1 for 4 P. Ss.).

Chief Inspectors.	Constables.
118	118 (Orderlies).

NOTE.—For Steno, H. Ds., see 'Stenos'.

APPENDIX X *contd.*

(iv) POLICE STATIONS.

Present (488 Police-Stations).

Inspector.	Sub-Inspector.	A. S. I.	Havildar.	W. Cs.	Constables.
1	2	3	4	5	6
48	737	728	12	930	3,661

Proposed (483 P. Ss. -14 P. Ss. of Patna and Jamshedpur 474).

Urban Police-Stations.	Inspector Senior.	Inspector Junior.	Assistant Inspector.	Head Constables.	Constables.
1	2	3	4	5	6
(i) Heavy Urban P. Ss. with 120 cases a year and above—53.	53	..	205	106	530 at the rate of 10 per P.-S.
(ii) P. Ss. at the Headquarters of Sub-divisions but not in category (i)—10.	10	..	10	20	100 at the rate of 10 per P.-S.
(iii) P. S. with T. O. P. at their Headquarters but not included in categories (i) and (ii)—53.	53	..	53	106	530 at the rate of 10 per P.-S.
TOTAL	116	..	268	232	1,160

Rural Police-station.	No.	Inspector Senior.	Inspector Junior.	Assistant Inspector.	Head Constables.	Constables.
1	2	3	4	5	6	7
(iv) P. Ss. with 75 cases and below a year—218.	218	..	218	..	433	2,180 at the rate of 10.
(v) P. Ss. with cases above 75 but below 120—89.	89	..	89	89	178	890 at the rate of 10.
(vi) P. Ss. with cases 120 and above a year—51.	51	51	..	135	102	516 at the rate of 10.
TOTAL	358	51	307	224	716	3,580
GRAND TOTAL ..	474	167	307	492	948	4,740

APPENDIX X—contd.

(v) OUTPOSTS AND BEAT HOUSES.

Present (105).

Sub-Inspectors.	Assistant Sub-Inspectors.	Havildars.	Constables.
26	91	18	796

Proposed (105).

Assistant Inspectors.	Head Constables.	Constables.
26	105	800

(vi) TOWN OUTPOSTS.

Present (225 for 22, 37, 555 population).

Sergeant.	A. S.-Is.	Havildars.	Constables.
2	2	310	3,340

Proposed (Population, 17,35,915, excluding 5,01,640 population of Patna and Jamshedpur).

Yardstick.—1 Constable for 500 men, 1 Head Constable for 10 Constables.

Head Constables.	Constables.
347	3,472

NOTE.—The above calculation is on the basis of 1951 Census.

The requirement should be recalculated on the basis of 1961 Census. The yardstick is one constable for 500 men and one head constable for 10 constables.

(vii) INFORMATION ROOM AND RADIO PATROL CARS.

*Present (Nil).**Proposed (Towns with 75,000 population and above).*

Towns.	Information Rooms.	Radio Patrol Cars.
Gaya, Muzaffarpur, Darbhanga, Bhagalpur, Ranchi, Monghyr.	6	Gaya-3, Muzaffarpur-2, Darbhanga-2, Bhagalpur-3, Ranchi-3, Monghyr-2.-15.

	Inspector Junior.	Assistant Inspector.	Head Constables.	Constables.	Remarks.
1	2	3	4	5	6
Information Rooms—(6) ..	6	18(a)	18(a)	90(a)	At the rate of 1-3-3-15 for each.
Radio Patrol Cars—(15) ..	..	45(b)	..	90(b)	At the rate of 0-3-0-6 for each.
TOTAL	6	63	18	180	

NOTE.—(a) One Assistant Inspector, 1 H.C. and 5 constables will be on duty in shift of 8 hours.

(b) One Assistant Inspector and 2 constables will work in shift of 8 hours.

APPENDIX X—contd.

(viii) ROAD PATROLS AND ROAD POSTS.

Present—(2).

Assistant Sub Inspectors.	Constables.
2	10

Proposed—(2).

Head Constables.	Constables.
2	10

(ix) DISTRICT CRIME BUREAU AND SPECIALIST INVESTIGATORS.

Present.

(The strength of District Crime Bureau is on the Cadre of C. I. D.)

Proposed.

	Chief Inspectors.	Assistant Inspectors.	Head Constables.	Constables.	Junior Experts.
1	2	3	4	5	6
1. District Crime Bureau	25	25	25	25 (Orderlies)	
2. Scientific Units .. ..	..	..	25(a)	..	(25 Experts included in Technical cadres of C.I. D.).
3. Specialist Investigators (for 25 Police districts only).	..	50	25	..	..
TOTAL ..	25	75	75	25	..

(a) They should be trained in Finger Print and use of optical aids.

(x) MISCELLANEOUS FORCE.

Present.

	Inspector.	S.-I.	A. S.-I.	W.Cs.	Havildar.	Constables.
Buildings .. ..	..	14	5	2	..	..
Mica Force	1	3	1	..	..	29
C. T. Act. .. ..	..	1	2	..	..	21
TOTAL ..	1	18	8	2	..	50

Proposed.

	Inspector Junior.	Assistant Inspectors.	H. Cs.	Constables.	
(i) Buildings .. ..	..	25	..	..	(One for each of 25 Police District.)
(ii) Mica Force	1	3	1	29	(To be added to the strength of P.-Ss.)
TOTAL ..	1	28	1	29	

(iii) Map and Plan Drawer. 25 (one for each Police District).

APPENDIX X—*contd.*

(xi) CITY POLICE—PATNA AND JAMSHEDPUR.

Present.

INCLUDED IN B (i) TO B (x).

Proposed.

	S. P.	Dy. S.P. and A. S. P	Chief Insp.	Insp. Senior.	Insp. Junior.	Asstt. Insp.	Head Const.	Consta- bles.	Tailors.	Cob- blers.	Map and Plan Drawer.
1	2	3	4	5	6	7	8	9	10	11	12
1. Headquarters, Patna	..	1	3	2 (Hqrs. and Patrol).	..	..	..	13+5 Office (Orderly).	1	1	1
Jamshedpur	..	1	2	2 Ditto	..	..	..	11+5 Ditto	1	1	1
2. (a) Crime Bureau—											
(i) Patna	2	..	..	2	2	2 (Orderlies).	..	..	..
(ii) Jamshedpur	2	2	..	..	..	..
(b) Crime Readers Section	2	2	..	..	..	..
3. Information Rooms—											
Patna	2	..	6	6	30	..	..	..
Jamshedpur	6	6	30	..	..	..
At the rate of 1 Inspector Junior, 3 A. Is., 3 H. Cs., 15 Constables each.											
4. Radio Patrol Car—											
Patna (3)	15	..	39	..	..	..
Jamshedpur (2)
At the rate of 3 Assistant Inspectors, 6 Constables, each.											
5. Town Out Post—											
Patna (2,83,479)	56	567	..	..	..
Jamshedpur (2,18,162)	43	436	..	..	..
6. Police-Stations—											
Patna (9)	9	18	90 at the rate of 10.	..	..	..
Jamshedpur (5)	5	10	50 Consts.	..	..	..
7. Central Police-Stations—											
Patna (2)	2	..	..	..	2 (Orderly) + 36	..	..	..
Jamshedpur (1)	1	..	..	..	1 (Orderly) + 20	..	..	..

APPENDIX X—*contd.*

—	S. P.	Dy. S.P. and A. S. P.	Chief Insp.	Insp. Senior.	Insp. Junior.	Asstt. Insp.	Head Const.	Cons- tables.	Tailors.	Cob- blers.	Map and Plan Drawer.		
1	2	3	4	5	6	7	8	9	10	11	12		
Investigating officer for 3,100 cases of 14 P.-Ss. of Patna and Jam- shedpur at the rate of one I. O. for 60 cases=52—14 Assistant inspector in P.-Ss.=38.	19	19	..	..	..	..	..	..
Security Section of Headquarters—													
Patna and Jamshedpur	2	..	2	2	4	..	..	..
Buildings	2	..	..	..	..	..
Police—													
Patna	1	..	7	21	210+1	..	..	..
Jamshedpur	1	..	3	10	Orderly. 100+1 Orderly.	..	..	..
TOTAL	2	5	11	23	19	53	170	1,614	2	2	2

Prosecuting Staff.
Police Women.
Transport.
Police Radio.

See Prosecution Cadre.
See Police Women.
See Transport.
See Police Radio.

Junior Experts.
2 (Included in strength of technical
Expert).

Scientific Sections. Head Constables.

2
C.—CRIMINAL INVESTIGATION DEPARTMENT AND STATE INTELLIGENCE DEPARTMENT.
Present.

—	D. I.-G.	S. P.	D. S. P.	Inspec- tor.	Sergeant- Major.	S.-I.	A. S.-Is.	Havil- dar.	W. Cs.	Constables.
1	2	3	4	5	6	7	8	9	10	11
ocial Branch ..	1	3	15	40	1	141	97	8	71	173
me Branch ..	..	1	4	15	..	39	33	..	53	29
ti-Dacoity ..	..	1	3	7	..	6	6	..	28	34
trict Crime Bureau ..	..	..	..	13	..	42	..	..	42	14
TOTAL ..	1	5	22	75	1	228	136	8	194	250

Proposed.

—	D. I.-G.	S. P.	Dy. S. P.	Chief Insp.	Insp. Senior.	Insp. Junior.	Asstt. Insp.	Head Constables.	Constables.	Subedar-Major.
1	2	3	4	5	6	7	8	9	10	11
State Intelligence Depart- ment.	1	3	7	8	40	141	100	80	25 (Ord.) + 155 Consts.=180.	1 Minister Guard. In- cluded in Dis- trict Armed Police.
Criminal Investigation Department.	1	..	..	..	..	..	..	..	4 (Ord.)	
Crime Branch	..	..	1	1	11	15	50	33	8	80+14 (Ord.) =94.
Anti-Dacoity	..	..	1	1	4	7	10	10	5	50+7 (Ord.) =57.
District Crime Bureau	Nil—Transferred to D. E. F. and G. R. P.									
TOTAL	..	2	5	9	23	62	201	143	93	335

APPENDIX X—contd.

D.—TRAFFIC REGULATION AND ENFORCEMENT.

Present (19 Police Districts).

	Inspector.	Sub-Inspector.	A. S.-I.	Havildar.	Constables.
	1	2	3	4	5
Regulation	2	2	2	7	357
Enforcement .. .. .	..	5	6	..	28
TOTAL	2	7	8	7	385

Proposed.

	Chief Inspector.	Inspector Junior.	Assistant Inspector.	Head Constables.	Constables.
	1	2	3	4	5
25 Police District	5 (One for each District having more than 1,000 registered vehicles).	5	15	45	450 + 5 Orderlies.
TOTAL	5	5	15	45	455

NOTE.—2 Chief Inspectors, 10 Assistant Inspectors, 31 Head Constables and 312 Constables have been shown in Patna and Jamshedpur in B(x) and 5 Head Constables and 50 Constables in Railway Police in E—Page 49.

TOTAL.—7 Chief Inspectors/5 Inspectors (Junior)/25 Assistant Inspectors/81 Head Constables/817 Constables.

E. GOVERNMENT RAILWAY POLICE.

Present (2 Districts, 9 Circles, 37 Police-Stations).

S. P.	Dy. S. P. and A. S. P.	Inspector.	Seargts.	Sub-Inspector.	Assistant Sub-Inspr.	Havildar.	Constables.	Remarks.
1	2	3	4	5	6	7	8	9
2	3	9	4	59	93	30	857	13 S.-Is. and 158 constables included in "Leave and Training reserve".

APPENDIX X—contd.

Proposed (3 Districts—Patna, Ranchi and Muzaffarpur, 9 Circles, 37 Police-Stations).

	S. P.	Dy. S.P.	Chief Insp.	Insp. Senior.	Insp. Junior.	Asstt. Insp.	Head Const.	Constables.	Tailor.	Cob- bler.	Map and Plan Drawer.
1	2	3	4	5	6	7	8	9	10	11	12
1. Headquarters ..	3	3	6	..	..	3	3	24+15 Office (Orderlies).	3	3	3
2. Crime Reader ..	..	..	..	..	..	3	3	..	..	..	..
3. District Crime Bureau and Specialist Investi- gators.	..	..	3	..	..	3+6	3+3	3 (Orderlies).	..	..	..
4. Circles ..	..	..	9	..	..	..	..	9	..	..	..
5. Police-Stations—											
Heavy (24) ..	..	..	..	24	..	38	48	240 at the rate of 10.	..	..	..
Light (13) ..	..	..	..	..	13	..	26	130 at the rate of 10.	..	..	..
6. Platform and Out-Posts—											
Big station at the rate of 1 H. C.—10.	}	..	..	..	..	12	72	720	..	..	..
Small station at the rate of 1. H. C.—4.											
7. Flying Squad—											
At the rate of 1 H. C.—10 Constables at 120 stra- tegic points.	..	..	..	..	..	5	20	200	..	..	..
8. Traffic Police ..	..	..	..	..	..	..	5	50	..	..	..
TOTAL ..	3	3	18	24	13	70	183	1,391	3	3	3

1. Also see Police Women Prosecution Cadre, District Armed Police.

2. No staff for scientific section recommended. They will use the scientific section of the districts of Ranchi, Patna and Muzaffarpur.

F. TRAINING INSTITUTION.

Present.

	S.P.	Dy. S.P.	S.-M.	Inspec- tor.	S.-I.	Sergeant.	Riding Havildar.	Constables.	Armou- rer Havildar.	Cook.	Water Carrier.	
1	2	3	4	5	6	7	8	9	10	11	12	13
Police Training College and Constables Training School.	1	2	3	5	38	3	1	67	42	3	1	1
Advanced Training School	..	..	..	1	..	..	..	..	1	..	..	..
TOTAL	..	1	2	3	6	38	3	1	67	43	3	1

APPENDIX X- *contd.**Proposed.*

		D. I.-G.	S. P.	Dy. S. P.	Chief Inspector.	Inspector Senior.	Inspector Junior.	Constables.
	1	2	3	4	5	6	7	8
1. Supervision	1	1	3	..	..	..	14 (Orderlies).
2. Police duties and regulation	1	15	30	1 (Orderly). } <i>plus</i>
			Subedar-Major.	Jamadar.	Ressaildar.	Havildar.	Armourer Havildar.	
3. Drill	1	5	1	67	3	Included in stre D.A.P.
			Building Assistant Inspector.	Plan Drawer.				
4. Plan Drawers	1	1				
			D. P.	A.D.P.	Civilian Orderly.			
5. Law	1	12	1			Included in Prosecution Cadre.
			Cook.	Water Carrier.				
6. Followers	4	4				
			Sr. Experts.					
7. Sc. Aids and Photographer	3						Included in Experts of C.I.D.

EXTRA SUBJECTS.

(a) Traffic .. ..	..	..	..	..	..	Traffic Incharge of Hazaribagh.
(b) Wireless .. ..	..	..	..	..	..	Range Incharge of Ranchi.
(c) Medical Aid and Jurisprudence ..	..	..	..	..	..	(1) Police Doctor of Combined P.T.C. and District Hospital. (2) Chief Medical Officer of District.
(d) Constitution, History, Political thought, etc.	..	..	..	..	..	D.I.-G., Principal and a part-time Lecturer of St. Columba College.
(e) Juvenile Delinquency and Criminology ..	..	..	..	..	..	Incharge of Pilot Research Centre, Hazaribagh.
(f) Motor Transport .. ..	..	..	..	..	..	One Junior Inspector of the staff to be trained for th purpose.
(g) Extra-curricular Lectures .. ..	..	..	..	..	..	Senior Police Officers and Senior Advocates.

G. STENO. STAFF.

Present.

						Sub-Inspectors.	Assistant-Sub-Inspectors.
1. Deputy Inspectors-General ..	..	..	..	..	..	6	..
2. Assistants to Inspector-General ..	..	..	..	..	..	3	..
3. Superintendents of Police ..	..	..	..	..	..	2	35
4. Subdivisional Police Officers ..	..	..	..	..	..	..	27
5. Deputy Superintendent of Police, Criminal Investigation Department ..	..	..	..	..	..	..	5
					TOTAL ..	11	67

APPENDIX X—*contd.**Proposed.*

- (1) One Steno. Assistant Inspector for every D.I.-G./S.P.
 (2) One Steno. H.C. for every Dy. S.P./A.S.P. and Circle Chief Inspector.

			Assistant Inspectors.	Head Constables.	
1. Deputy Inspectors-General	..	..	7	..	
2. Superintendents of Police	..	..	46	..	
3. Deputy S.P./A.S.P.	..	..	..	65	
4. Circle Officers	..	..	..	118+9 +3	Railway Circles, Central Crime Stations=130.
5. Court	..	..	..	150	
TOTAL			53	345	
Leave and Training Reserve at the rate of 18 per cent			9	62	
GRAND TOTAL			62	407	

H. POLICE COURT OFFICES.

Present.

	Sub- Inspector.	Assistant Sub- Inspectors.	Constables.	Typist A.S.-I.
	1	113	501	136

Proposed.

Court Staff.	Chief Inspector.	Inspector Senior.	Inspector Junior.	Assistant Inspector.	Head Constable.	Constable.	Remarks.
1	2	3	4	5	6	7	8
1. Police District Court (27)	27	..	..	27	54
2. Subdivisional Police Court (31)	31	93 (at the rate of 3).	124 (at the rate of 4).	
3. Sessions Divisions (16)	16	64 (at the rate of 4).	
4. High Court	..	1	..	..	..	1	(Orderly) [to be attached to the C.I.D.].
5. Whole time Courts (200)	200	
6. Three Railway Police Districts	3	..	..	..
TOTAL	..	1	27	31	136	443	

7. Typist Head constables .. (150 included in Steno. Staff) (G).

APPENDIX X—contd.

I. LEAVE AND TRAINING RESERVE OF UNARMED POLICE.

Present.

Dy. S. P.	Sergeant.	Sub-Inspector.	Jamadar.	Havildar.	Constable.
1	2	3	4	5	6
11	9	231	4	1	3,649

Proposed.

Dy. S. P.	Chief Inspector.	Inspector (Jr. + Sr.).	Assistant Inspector.	Constables.
1	2	3	4	5
9	47	163	190	3,043

J. DOG SQUAD.

Present.

Inspector.	Sub-Inspector.	Constables.	Cook.	Sweeper.	Dogs.
1	2	3	4	5	6
1	1	7	1	1	7

Proposed.

	Inspector Sr.	Assistant Inspector.	Handler Constables.	Cook.	Sweeper.	Dogs.
1	2	3	4	5	6	7
1. 2 Range Headquarters	..	2	12	2	2	12
2. Patna ..	.. 1	2	12	2	2	12
TOTAL	.. 1	4	24	4	4	24

K. POLICE WOMEN.

Present.

(No separate strength, 2 Sub-Inspectors, 2 Havildars and 18 Constables are included with sanctioned strength of Government Railway Police).

Proposed.

			Inspector senior.	Assistant Inspector.	Head Constable.
1. 25 Police Districts	..	..	2	30	240
2. 2 City Police	..	..	
3. 3 Railway Districts	..	..	
		Leave and Training Reserve at the rate of 18 per cent.	..	5	43
		TOTAL	2	35	283

L. ARMED POLICE.

(i) DISTRICT ARMED POLICE AND RIVER PATROLS.

Present.

Serial no.	Item.	Sergeant-Major.	Sergeant.	Jamadar.	Havildar.	Naiks.	Constable.	Armourer Havildar.
1	2	3	4	5	6	7	8	9
1	Striking Force	22	30	26	229	113	3,078	10
2	Guards .. ..	..	..	..	109	..	709	..
3	Escorts .. ..	..	..	..	70	..	621	..
4	Tear Gas Squad .. ..	..	4	..	8	..	56	..
TOTAL		22	34	26	416	113	4,464	10

Proposed.

Scale of a Coy—1—3—6—9—81=100.

Serial no.	Item.	Subedar Major.	Jamadar.	Havildar.	Naik.	Lance Naik.	Constables.
1	2	3	4	5	6	7	8
1	Striking Force at the rate of 100 for 25 Headquarters and 50 for 5 Districts=30.	30	30	83	165	248	2,232
2	Escort—Add 150 to the present strength of 691=841.	..	8	26	51	77	693
3	Guards—818 .. ..	..	8	24	48	72	666
4	Magazine Guards at the rate of 1 Havildar, 4 Constables for 12 New Districts.	..	..	12	..	..	48
5	Armourer Havildar for District ..	..	..	30	..	..	..
6	Armourer Havildar for Training Institution.	..	..	2	..	..	..
7	Drill Instructor for Training Institutions.	1	5	67	..	..	..
8	River Patrols 15 at the rate of 1—1—1—8.	..	1	15	15	15	140
9	Minister's Guard, Secretariat—High Court—Governor's Guard.	4	..	..	..	..	..
TOTAL		35	52	259	279	412	3,779
10	Leave and Training Reserve at the rate of 18 per cent.	..	..	62	..	..	805
GRAND TOTAL		35	52	321	279	412	4,584

	Cooks.	Water Carrier.	Washer-man.	Barber.	Sweeper.
Followers at the rate of 1 Cook and 2 Water Carriers and 30 of Striking Force.	90	180	30	30	30

NOTE.—(i) One section of the Striking Force should be trained in the use of Tear Smoke.

(ii) In Cities with Information Room, one section of the striking force should stand by.

(iii) Training reserve of the District Armed Police should be kept at the training centre of S.A.P.

(iv) 15 River Patrol :—

(a) Purnea—1 Karhagola, 2 Manihari and 3 Kursela.

(b) Monghyr—1 Barauni and 2 Monghyr.

(c) Bhagalpore—1 Sultanganj.

(d) Patna—1 Mokameh, 2 Banka and 3 Bans.

(e) Shahabad—1 Schia, 2 Buxar and 3 Sinha.

(f) Muzaffarpur—1 Hajipore.

(g) Saran—1 Pahleza and 2 Revelganj.

(ii) ANCHAL FORCE.

Present.

Sergeant.	S.-I.	Jamadar.	Havildar.	Naik.	Constables.
17	34	17	500	..	3,000

Proposed.

Jamadar.	Havildar.	Naik.	L. Naik.	Constables.
25	500	..	..	3,000

NOTE.—As this force will be distributed over Anchals, followers not required. Also its strength and composition have not been changed.

(iii) SPECIAL ARMED POLICE.

Present.

D.I.-G. (At present there is one D.I.-G. for both Military Police and Training).

Comman- dant.	Assistant Comman- dant.	Wing Comman- der.	Subedar- Major.	Subedar.	Jama- dar.	Havil- dar. Major.	Havil- dar.	Naik.	W/Naik.	L/Naik.	Sepoy.
1	2	3	4	5	6	7	8	9	10	11	12
5	5	10	5	34	56	1	223	87	39	87	3,043

Followers—(333).

Cook and Water Carrier.

218

Barber.

34

Dhobi.

34

Sweeper.

47

Proposed.

	D.I.-G.	S.P.	Dy. S.P.	Chief Inspector.	Sub.- Major.	Sube- dar.	Jama- dar.	Havil- dar.	Naik.	L- Naik.	Sepoy.	
	1	2	3	4	5	6	7	8	9	10	11	12
1. Supervision	..	1	..	..	..	..	..	..	..	..	..	6 (Orderlies.)
2. Ranchi	1	1	2	1	10	17	68	27	27	950
3. Units	4	4	8	4	24	72	216	216	216	1,944
TOTAL	..	1	5	5	10	5	34	89	284	243	243	2,900
											+ 35 Orderlies =	2,935

Cook. Water Carrier. Barber. Dhobi. Sweeper. Tailor. Cobbler. Armourer. Havildar.

	1	13	14	15	16	17	18	19	20
4. Other Ranks	..	90	180	10	10	10	5	..	5

NOTE.—Transport—See Transport.

(iv) MOUNTED ARMED POLICE.

Present.

Troop.	Sergeant-Major.	Ressalidar.	Jamadar.	Remount Daffadar.	Farrier Daffadar.	Quarter-Master Daffadar.	Daffadar.	Naik.	L/Naik.	Sawars.	Tailor.	Farrier.	Compounder.	Trumpeter.	Saddler.	Total.
1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17
7	1	1	7	1	1	1	14	12	12	131	1	7	7	7	7	210

Followers (35)—Cook and Water Carrier—14, Barber—7, Dhobi—7, Sweeper—7.

*Proposed.*

	Ressalidar-Major.	Ressalidar.	Janadar.	Remount Daffadar.	Farrier Daffadar.	Quarter-Master Daffadar.	Daffadar.	Naik	L/Naik.	Sawars.	Tailor.	Farrier.	Compounder.	Trumpeter.	Saddler.
1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	
1. Troops (5)	1	1	5	1	1	1	10	8	8	95	1	5	5	5	5
2. Training Institution.	..	1	..	..	..	..	..	..	..	..	..	..	..	..	..
TOTAL	1	2	5	1	1	1	10	8	8	95	1	5	5	5	5

	Cook.	Water Carrier.	Barber.	Dhobi.	Sweeper.
Followers	5	10	5	5	5

M. POLICE TRANSPORT.

(i) DRIVING STAFF.

Present.

Number of Vehicles.	Driver Constable.	Assistant Driver.
405	425	429.

Proposed.

	Driver	Assistant Driver.
1. For 555 (Excluding 40 Motor Bikes) Vehicles (at the rate of 1 Driver, 1 Cleaner)	555	555
2. Additional for 21 Radio Patrol Cars (at the rate of 2 Drivers)	42	..
3. Additional for 11 Stand by vehicles for Control Rooms and traffic (at the rate of 2 Drivers).	22	..

TOTAL	619	555
Leave and Training Reserve at the rate of 18 per cent	111	100
GRAND TOTAL	730	655

NOTE.—For distribution of Vehicles, see Appendix IV.

(ii) WORKSHOP STAFF.

Present.

S.M.	Fitter.	Blacksmith.	Asstt. Fitter.	Head Driver.
1	4	1	1	25

Proposed.	Chief Inspector.	Inspector Junior.	Asstt. Inspector.	Head Driver Mechanic.	Fitter.	Assistant Fitter.	Painter.	Smith.	Upholsterer.	Orderly Constable.
1	2	3	4	5	6	7	8	9	10	11
1. Patna (State and Range).	1	1	1	2	14	..	3	4	1	1
2. Ranchi and Muzaffarpur.	..	2	..	2	2	2	2	2	..	..
3. 25 District and 2 City Police Mobile Workshops.	..	..	..	27	..	..	..	..	..	..
4. B.M.P. Mobile Workshop Head Driver, Mechanics.	..	..	..	5	..	..	..	..	..	..
TOTAL	1	3	1	36	16	2	5	6	1	1
Leave and Training Reserve.	..	..	..	6	..	3	..	..	..	..
GRAND TOTAL	1	3	1	42	16	5	5	6	1	1

(iii) MOTOR LAUNCHES.

Present.

Launch Driver.	Sarang H.C.	Launch Assistant Driver.	Mallah.
1	2	3	3

Proposed.

Motor Launches.	Sarang H.C.	Driver Constable.	Lasker.
15	5	15	15
Leave and Training Reserve.	..	..	6
	5	15	21

N. POLICE RADIO PERSONNEL.

Present.

Stations.	Dy. S.P.	Inspector.	S.-Is.	A.S.-Is.	L. Cs. Operators.	Messengers.	Orderly Constable.
1	2	3	4	5	6	7	8
99	1	6	20	96	191	34	1

Proposed.

Stations.	S.P.	Dy. S.P.	Chief Inspector.	Radio Inspector.	Super-visor (Technical).	Super-visor (Operational).	Radio Technician.	Work-shop Assistant.	Work-shop Hand.	Fitter Electrician.	Fitter Battery.
1	2	3	4	5	6	7	8	9	10	11	12
150	1	1	1	6	11	32	35	2	17	11	2

Stations.	Fitter Engine.	Car-penter.	Painter.	Tin Smith.	Storemen Technical.	Asstt. Storemen.	Mast Lasker.	Draughts-man.	Wire- less operator.	Messen-gers.	Remarks.
1	13	14	15	16	17	18	19	20	21	22	23
150	4	2	2	1	4	4	2	1	326	70	

NOTE.—Distribution of 150 Radio Stations—

(a) Static Stations (124)— State Headquarters (5), Special Armed Police (5), District Headquarters with Subdivisions at the of rate 2 (44), District H.Qrs. without Subdivisions (3), Patna and Jamshedpur Cities (2), Subdivisions (33), Police Circles (16), Police Stations (5), Control Rooms (8), D.I.-G., Radio Telephone (3)=124.

(b) Mobile Stations (26)—
Radio Patrol Cars (21)
Mobile Stations (5)-26,

O. TECHNICAL SECTIONS OF THE CRIMINAL INVESTIGATION DEPARTMENT.

Present.

	Officer Incharge.	Senior Expert.	Junior Expert.	S.-I.	A.S.-I.	Constable.
1	2	3	4	5	6	7
1. Finger Print Bureau.	1	6	14	..	..	..
2. Handwriting	1	1	6	..	..	..
3. Photo Bureau	1	1	6	4	6	6
TOTAL ..	3	8	26	4	6	6

Proposed.

	Officer Incharge.	Sr. Expert.	Junior Expert.	Searchers.	Testers.	Remarks.
1	2	3	4	5	6	7
1. Finger Print Bureau.	1	8	17	4	4	One Sr. Expert for P.T.C., One Junior Expert for Museum and Exhibition.
2. Handwriting	1	3	6	..	..	Ditto ditto.
3. Photo Bureau	1	2	7	..	..	Ditto ditto.
4. District Science Section.	..	..	27	..	..	For 25 Districts and 2 City Police at the rate of 1 each.
TOTAL	3	13	57	4	4	

P. RESEARCH AND STATISTICAL BUREAU OF THE CRIMINAL INVESTIGATION DEPARTMENT.

Present.

Statistical Officer.	Junior Statistical Assistant.	Statistical Computer.	Typist.	Orderly Constables.
1	2	3	4	5
1	2	2	1	2

Proposed.

Statistical Officer.	Junior Statistical Assistant.	Statistical Computer.	Typist.	Civilian Orderlies.
1	2	3	4	5
1	2	2	1	2

Q. REPORTERS OF STATE INTELLIGENCE DEPARTMENT.

Present.

Officer Incharge.	Senior Reporter.	Junior Reporter.
1	3	21

Proposed.

1	3	21
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R. PROSECUTION CADRE.

Present.

	Senior District Prosecutor.	District Prosecutor.	Asstt. District Prosecutor.
District and Railway ..	15	20	130

Proposed.

	State Director of Prosecutions.	District Director of Public Prosecution.	District Prosecutor.	Asstt. District Prosecutors.	Civilian Orderly.
1. State	1	..	1	4	6
2. Magistrate's Courts in Districts(17)	..	17	..	..	34
3. Sessions Divisions (16) ..	Panel of Public Prosecutors for each Sessions Division(Number not fixed).				
4. Magisterial Courts (27)— (a) (One D.P. for every Police District).	..	..	27	..	27
(b) Whole-time and Part-time Courts (1 A.D.P. for each whole-time and 1 for each 10 part-time Courts).	..	..	..	220	..
5. Training Institutions ..	..	..	1	12	1
TOTAL ..	1	17	29	236	68

S. STATE FIRE SERVICE.

Present.

Units.	State Fire Officer.	S.-I.	Constables.
16	1	5	123

Proposed.

(5 Units for Patna, 3 for Gaya, 3 for Jamshedpur, 2 for Ranchi, 3 for Bhagalpur, one each for Arrah, Daltonganj, Hazaribagh, Chaibassa, Dhanbad, Monghyr, Purnea, Saharsa, Dumka, Chapra, Motihari, Muzaffarpur and Darbhanga =29).

	Units.	State Fire Officer.	Asstt. State Fire Officer.	Station Officers.	Station Sub-Officer.	Firemen.	Civilian Orderly.
1	2	3	4	5	6	7	8
	29	1	1	4	25	261	3
Leave & Training Reserve ..	..	..	..	..	5	47	..
		1	1	4	30	308	3

Fire Service Vehicles—29.

T. MINISTERIAL OFFICERS.

Present.

Serial no.	Name of Office.	Registrar.	U.D. Asstt.	L.D. Asstt.	Head Clerk.	U.D. Clerk.	L.D. Clerk.	Accountant.	Assistant Accountant.	Routine Clerk.	Typist.	Record Supplier.	Range man.	Daftary.
1	2	3	4	5	6	7	8	9	10	11	12	13	14	15
1	Police Headquarters	1	24	45	..	..	..	1	..	15	13	3	1	2
2	Criminal Branch and Anti-Dacoity .. ..	..	8	39	..	..	..	1	..	3	6	..	..	..
3	Special Branch C.I.D.	1	21	63	..	..	..	..	..	..	..	..	..	2
4	Range Offices including D.I.G., M.P. & Training. .. ..	..	9	16	..	..	..	..	..	5	5	..	..	5
5	Districts .. ..	..	..	..	18	76	350	18	32	..	..	..	..	18
6	Training Institutions P.T.C./C.T.S./A.T.S. .. ..	..	..	..	3	..	10	3	..	..	..	..	..	2
7	Transport .. ..	..	..	..	..	..	..	1	..	..	..	..	..	..
8	Wireless .. ..	..	..	..	..	..	..	..	..	..	..	..	..	..
9	B.M.P. Units .. ..	..	..	..	5	..	30	5	5	..	..	..	..	5
10	M.M.P. .. ..	..	..	..	1	..	3	1	..	..	..	..	..	1
11	Fire Service .. ..	..	..	..	..	1	2	..	..	..	1	..	..	1
12	Railways .. ..	..	..	..	2	2	23	2	..	..	..	..	..	2
TOTAL		2	62	163	29	79	418	32	37	23	25	3	1	39=913

Proposed.

Serial no.	Name of Office.	Registrar.	Additional Registrar.	Accounts Officers.	P. A. to I.G.	Office Manager.	U.D. Asstt.	L.D. Asstt.	Head Clerk.	U.D. Clerk.	L.D. Clerk.	Accountant.	Assistant Accountant.	Routine Clerk.	Typist.	Record Supplier.	Range man.	Daftary.
1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19
1	Police Headquarters	1	1	1	1	..	24	45	..	..	..	1	..	15	13	3	1	2*
2	Criminal Investigation Department. .. ..	..	..	..	..	..	9	44	..	..	..	1	..	4	7	..	..	2**
3	State Intelligence Department.	1	..	..	..	..	21	63	..	..	..	..	..	..	..	..	..	2
4	Range Offices. .. ..	..	..	..	..	..	9	16	..	..	..	..	..	5	5	..	..	5
5	Districts including Railways (30). .. ..	..	..	..	..	30	..	..	150	..	600	30	..	..	..	..	..	30
6	Training Institutions P.T.C./C.T.S./A.T.S. .. ..	..	..	..	..	..	..	..	3	..	10	1	..	..	..	..	..	2
7	Transport .. ..	..	..	..	..	..	..	..	..	..	..	1	..	..	..	..	..	..
8	Wireless .. ..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..
9	Special Police. Armed .. ..	..	..	..	..	..	..	..	5	..	30	5	5	..	..	..	..	5
10	Mounted Police. Armed .. ..	..	..	..	..	..	..	..	1	..	3	1	..	..	..	..	..	1
TOTAL		2	1	1	1	30	63	168	159	..	643	40	5	24	25	3	1	46=1,215

NOTE.—If necessary ministerial staff for Radio, Police Organisation should be sanctioned on the scale of special armed Police Unit. The requirement of expanded State Police Service Organisation is not known.

* Increase for Railway section.

** Section 1 U.D. Assistant, 5 L.D. Asstts., 1 Typist, 1 Daftary, and 1 Routine Clerk.

APPENDIX XI.

ABSTRACTS OF THE PRESENT AND PROPOSED STRENGTH OF POLICE AND NON-POLICE PERSONNEL

A. BREAK-UP.

Serial no.	Rank.					Present.	Proposed.
1	2					3	4
A. ADMINISTRATIVE OFFICERS.							
1	Inspector-General of Police	..	..	..	..	1	1
2	Deputy Inspector-General of Police	..	..	..	..	7	7
TOTAL—ADMINISTRATIVE OFFICERS					..	8	8
B. SUPERVISORY OFFICERS.							
1	Superintendent of Police..	..	..	..	..	41	45
2	Assistant Superintendent of Police	..	..	..	..	16 (Excludes 6 De- putation Reserve.)	16
3	Deputy Superintendent of Police	..	..	..	..	121 (Excludes 5 De- putation Reserve).	51
4	Chief Inspector	..	..	..	..	Nil	313
5	Inspectors	..	..	..	..	228	Nil.
TOTAL—SUPERVISORY OFFICERS					..	406	425
C. EXECUTIVE FORCE.							
(i) Unarmed Police.							
1	Inspector (Senior)	..	..	..	..	Nil	321
2	Inspector (Junior)	..	..	..	..	Nil	751
3	Assistant Inspector	..	..	..	..	Nil	1,318
4	Sub-Inspector	..	..	..	..	1,411	Nil.
TOTAL					..	1,411	2,390
1	Assistant-Sub-Inspectors	..	..	..	..	1,538	Nil.
2	Havildars	..	..	..	..	454	Nil.
3	Head Constables	..	..	..	..	Nil	2,844
4	Writer Constables	..	..	..	..	1,126	Nil.
TOTAL					..	3,118	2,844
1	Constables	..	..	..	..	13,998	17,107
2	Tailor Constable	..	..	..	..	18	30
3	Cobbler Constable	..	..	..	..	18	30
TOTAL					..	14,034	17,167
1	Riding Master	..	..	..	..	1	Nil.

Serial no.	Rank.	Present.	Proposed.
1	2	3	4

(ii) Armed Police.

(a) District Armed Police.

1	Sergeant-Major	..	..	..	..	..	26	Nil.
2	Subedar-Major	..	..	..	..	..	Nil	35
3	Sergeant	..	..	..	..	..	52	Nil.
4	Jamadar	..	..	..	..	..	30	52
5	Havildar	..	..	..	..	..	416	291
6	Armourer Havildar	..	..	..	..	..	13	30
7	Naik	..	..	..	..	..	113	279
8	Lance Naik	..	..	..	..	..	Nil	412
9	Constable	..	..	..	..	..	4,464	4,584
TOTAL		..	..	..	..	..	5,114	5,683

(b) Anchal Force.

1	Sergeant	..	..	..	..	..	17	Nil.
2	Jamadar	..	..	..	..	..	17	25
3	Assistant Sub-Inspector	..	..	..	..	..	34	Nil.
4	Havildars	..	..	..	..	..	500	500
5	Naiks	..	..	..	..	..	Nil	..
6	Lance Naik	..	..	..	..	..	Nil	..
7	Constable	..	..	..	..	..	3,000	3,000
TOTAL		..	..	..	..	..	3,568	3,525

(c) Special Armed Police.

1	Subedar-Major	..	..	..	..	..	5	5
2	Subedar	..	..	..	..	..	34	34
3	Jamadar	..	..	..	..	..	56	89
4	Havildar-Major	..	..	..	..	..	1	Nil.
5	Havildar	..	..	..	..	..	223	289
6	Naiks	..	..	..	..	..	87	243
7	Writer Naiks	..	..	..	..	..	39	Nil.
8	Lance Naiks	..	..	..	..	..	87	243
9	Sepoy	..	..	..	..	..	3,043	2,935
10	Tailor Constable	..	..	..	..	..	Nil	5
11	Cobbler Constable	..	..	..	..	..	Nil	5
TOTAL		..	..	..	..	..	3,575	3,848

Serial no.	Rank.						Present.	Proposed.
1	2						3	4
(d) Mounted Armed Police.								
1	Sergeant-Major	..	..	..	..	..	1	Nil.
2	Ressaldar-Major	..	..	..	..	..	Nil	1
3	Jamadar	..	..	..	..	..	7	5
4	Ressaldar ..	..	..	..	..	..	1	2
5	Remount Dafadar	..	..	..	..	..	1	1
6	Farrier Dafadar	..	..	..	..	..	1	1
7	Quarter Master Dafadar..	..	..	..	..	..	1	1
8	Dafadar ..	..	..	..	..	..	14	10
9	Naiks ..	..	..	..	..	..	12	8
10	Lance Naiks	..	..	..	..	..	12	8
11	Sawars ..	..	..	..	..	..	131	95
12	Tailor ..	..	..	..	..	..	1	1
13	Farrier ..	..	..	..	..	..	7	5
14	Compounder ..	..	..	..	..	..	7	5
15	Saddler ..	..	..	..	..	..	7	5
16	Trumpeter ..	..	..	..	..	..	7	5
TOTAL		..	..	..	..	..	210	153
D. SPECIAL POLICE ORGANISATIONS								
(i) Transport.								
(a) Driving Staff.								
1	Drivers ..	..	..	..	..	..	425	730
2	Assistant Drivers	..	..	..	..	..	429	655
TOTAL		..	..	..	..	..	854	1,385
(b) Workshop.								
1	Sergeant-Major	..	..	..	..	..	1	Nil.
2	Head Drivers (Mechanic)	..	..	..	..	..	25	42
3	Fitter ..	..	..	..	..	..	4	16
4	Assistant Fitter	..	..	..	..	..	1	5
5	Painter ..	..	..	..	..	..	Nil	5
6	Smith ..	..	..	..	..	..	1	6
7	Upholsterer ..	..	..	..	..	..	Nil	1
TOTAL		..	..	..	..	..	32	75

Sl.no.	Rank.						Present.	Proposed.
1	2						3	4
(c) Motor Launches.								
1	Sarang H.C. ..	..	..	..	..	..	2	5
2	Launch Driver ..	..	..	..	..	..	1	15
3	Launch Assistant Driver..	..	..	..	..	..	3	Nil.
4	Mallah ..	..	..	..	..	..	3	Nil.
5	Laskar ..	..	..	..	..	..	Nil	21
TOTAL		..	..	..	..	..	9	41
(ii) Police Radio								
1	Superintendent of Police	..	..	..	..	..	Nil	1
2	Deputy Superintendent of Police	..	..	..	..	..	1	1
3	Inspector ..	..	..	..	..	..	6	Nil.
4	Sub-Inspector ..	..	..	..	..	..	20	Nil.
5	Assistant Sub-Inspector	..	..	..	..	..	96	Nil.
6	Inspector Radio ..	..	..	..	..	..	Nil	6
7	Supervisor Technical ..	..	..	..	..	..	Nil	11
8	Supervisor operational ..	..	..	..	..	..	Nil	32
9	Radio Technician ..	..	..	..	..	..	Nil	35
10	Workshop Asstt. ..	..	..	..	..	..	Nil	2
11	Workshop hand ..	..	..	..	..	..	Nil	17
12	Fitter electrician ..	..	..	..	..	..	Nil	11
13	Fitter Battery ..	..	..	..	..	..	Nil	2
14	Fitter Engine ..	..	..	..	..	..	Nil	4
15	Carpenter ..	..	..	..	..	..	Nil	2
16	Painter ..	..	..	..	..	..	Nil	2
17	Tin smith ..	..	..	..	..	..	Nil	1
18	Store-man Technical ..	..	..	..	..	..	Nil	4
19	Assistant Store-man ..	..	..	..	..	..	Nil	4
20	Mast Laskar ..	..	..	..	..	..	Nil	2
21	Draftsman ..	..	..	..	..	..	Nil	1
22	Wireless operators ..	..	..	..	..	..	191	326
23	Messenger ..	..	..	..	..	..	35	70
TOTAL		..	..	..	..	..	349	534

Sl. no.	Rank.	Present.	Proposed.
1	2	3	4

(iii) State Fire Service

1	State Fire Service Officer	..	..	..	..	1	1
2	Asstt. State Fire Service Officer	..	..	..	..	Nil	1
3	Sub-Inspector	..	..	..	..	5	Nil.
4	Station Officers	..	..	..	..	Nil	4
5	Station Sub-officers	..	..	..	..	Nil	30
6	Fire-men Constables	..	..	..	..	123	308
7	Civilian orderlies	..	..	..	..	Nil	3
TOTAL		..	..	..	..	129	347

*(iv) Police Women : Police Dogs—Strength included in the Unarmed branch.***E. NON-POLICE PERSONNEL.***(i) Prosecuting cadre.*

1	State Director of Prosecution	..	..	..	..	Nil	1
2	District Director of Public Prosecution	..	..	..	..	Nil	17
3	Senior District Prosecutor	..	..	..	..	16	Nil.
4	District Prosecutor	..	..	..	..	20	29
5	Asstt. District Prosecutors	..	..	..	..	136	236
6	Civilian Orderlies	Nil	68
TOTAL		172	351

(ii) Map and plan drawers


TOTAL	Nil	31
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(iii) Experts of C. I. D.

1	Officer-In-Charge	3	3
2	Senior Experts	8	13
3	Junior Experts	26	57
4	Searchers	..	..	..	..	Nil	4
5	Testers	..	..	..	..	Nil	4
TOTAL		..	..	..	..	37	81

(iv) Reporters of State Intelligence Branch.

1	Officer-In-Charge	1	1
2	Senior Reporters	3	3
3	Junior Reporters	21	21
TOTAL		25	25



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B. TOTAL.

Sl. no.	Rank.						Present.	Proposed.
1	2						3	4
1	Administrative Officers	8	8
2	Supervising Officers	406	425
3	Executive Force—							
	(a) Unarmed Police ..	..	..	..	..	..	18,564	22,401
	(b) Armed Police—							
	(i) District Armed Police ..	..	..	..	..	..	5,114	5,683
	(ii) Anchal Force ..	..	..	..	..	..	3,568	3,525
	(iii) Special Armed Police ..	..	..	..	..	..	3,575	3,848
	(iv) Mounted Armed Police ..	..	..	..	..	..	210	153
	TOTAL ..	..	..	..	..	..	31,445	36,043
4	SPECIAL POLICE ORGANISATIONS—							
	(a) Transport ..	..	..	..	..	..	895	1,501
	(b) Police Radio ..	..	..	..	..	..	349	534
	(c) Prosecuting Staff ..	..	..	..	..	..	172	..
	TOTAL—POLICE PERSONNEL ..	..	..	..	..	..	32,861	38,078
5	NON-POLICE PERSONNEL—							
	(a) State Fire Service ..	..	..	..	..	..	129	347
	(b) Experts of C.I.D. ..	..	..	..	..	..	37	81
	(c) Reporters of State Intelligence Department ..	..	..	..	..	..	25	25
	(d) Research and Statistical Bureau ..	..	..	..	..	..	5	7
	(e) Map and Plan drawers ..	..	..	..	..	..	Nil	31
	(f) Followers ..	..	..	..	..	..	372	706
	(g) Ministerial ..	..	..	..	..	..	913	1,215
	(h) Prosecution Staff ..	..	..	..	..	..	..	351
	TOTAL—NON-POLICE PERSONNEL ..	..	..	..	..	..	1,481	2,763
	GRAND TOTAL ..	..	..	..	..	..	34,342	40,841

APPENDIX XII.

STATEMENT OF THE PRESENT AND PROPOSED COST ON ACCOUNT OF PAY OF POLICE AND NON-POLICE PERSONNEL.

PRESENT.					PROPOSED.				
Serial no.	Rank.	Strength.	Average monthly cost including C.L.A. (in Rs.).	Annual cost (in Rs.).	Serial no.	Rank.	Strength.	Average monthly cost including Central rates of D.A. (in Rs.).	Annual cost (in Rs.).
1	2	3	4	5	6	7	8	9	10
A. ADMINISTRATIVE OFFICER.					A. ADMINISTRATIVE OFFICER.				
1	Inspector-General of Police ..	1	2,750 (I.P.)	33,000	1	Inspector-General of Police ..	1	2,750 (I.P.)	33,000
2	Deputy Inspector-General of Police.	7	2,050 (I.P.)	1,72,200	2	Deputy Inspector-General of Police.	7	2,050 (I.P.)	1,72,200
	Total	..	..	2,05,200		Total	..	..	2,05,200
B. SUPERVISORY OFFICER.					B. SUPERVISORY OFFICER.				
1	Superintendent of Police ..	41	1,047	5,15,124	1	Superintendent of Police ..	45	1,047	5,65,380
2	Assistant Superintendent of Police.	16	533	1,40,712	2	Assistant Superintendent of Police.	16	533	1,40,712
3	Deputy Superintendent of Police.	121	593	8,61,036	3	Deputy Superintendent of Police.	51	605	3,70,260
4	Inspector ..	228	384	10,50,624	4	Chief Inspector ..	313	440	16,52,640
	Total	..	..	25,67,496		Total	..	..	27,28,992
C. EXECUTIVE FORCE.					C. EXECUTIVE FORCE.				
(i) UNARMED POLICE.					(i) UNARMED POLICE.				
1	Sub-Inspector ..	1,411	212	35,89,584	1	Inspector, Senior ..	321	392	15,09,984
2	Assistant Sub-Inspector ..	1,538	120	22,14,720	2	Inspector, Junior ..	751	260	23,43,120
3	Havildar ..	454	102	5,55,696	3	Assistant Inspector ..	1,318	223	35,26,968
4	Writer Constable ..	1,126	77.50	10,47,180	4	Head Constable ..	2,844	131	44,70,768
5	Constable ..	13,998	77.50	1,30,18,140	5	Constable ..	17,167	97.50	2,00,15,190
6	Tailor Constable ..	18	77.50	16,740	6	Tailor Constable ..	30	97.50	35,100
7	Cobbler Constable ..	18	77.50	16,740	7	Cobbler Constable ..	30	97.50	35,100
8	Armourer Havildar ..	3	102	3,672					
9	Riding Master ..	1	77.50	930					
	Total	..	..	2,04,63,402		Total	..	..	3,19,36,230
10	Followers ..	4	60	2,880	8	Followers .. (Training Institution S. Dog Squad S).	16	63	12,996

APPENDIX XII—contd.

PRESENT.					PROPOSED.				
Serial no.	Rank.	Strength.	Average monthly cost including C.L.A. (in Rs.).	Annual cost (in Rs.).	Serial no.	Rank.	Strength.	Average monthly cost including Central rates of D.A. (in Rs.).	Annual cost (in Rs.).
1	2	3	4	5	6	7	8	9	10
(ii) ARMED POLICE.					(ii) ARMED POLICE.				
(a) DISTRICT ARMED POLICE.					(a) DISTRICT ARMED POLICE.				
1	Sergeant-Major ..	26	334	1,19,808	1	Subedar-Major ..	35	392	1,64,649
2	Sergeant ..	52	333	2,10,912	2	Jamadar ..	52	223	1,39,152
3	Jamadar ..	30	212	76,320	3	Havildar ..	291	131	4,57,452
4	Havildar ..	413	102	5,09,184	4	Armourer Havildar ..	30	131	47,160
5	Naik ..	112	77.50	1,95,090	5	Naik ..	279	97.50	3,23,430
6	Constable ..	4,464	77.50	41,51,520	6	Lance Naik ..	412	97.50	4,82,040
7	Armourer Havildar ..	10	102	12,240	7	Constable ..	4,584	97.50	53,63,280
	Total	..	..	51,85,074		Total	..	..	69,80,154
					8	Followers ..	360	63	2,72,160
(b) ANCHAL FORCE.					(b) ANCHAL FORCE.				
1	Sergeant ..	17	333	58,952	1	Jamadar ..	25	223	66,900
2	Jamadar ..	17	212	43,248	2	Havildar ..	500	131	7,86,000
3	Assistant Sub-Inspector ..	34	120	48,960	3	Constable ..	3,000	97.50	55,10,000
4	Havildar ..	500	102	5,12,000					
5	Constable ..	3,000	77.50	27,90,000					
	Total	..	..	35,63,160		Total	..	..	43,62,900
(c) BIHAR MILITARY POLICE.					(c) SPECIAL ARMED POLICE.				
1	Subedar-Major ..	5	334	23,040	1	Subedar-Major ..	5	392	23,520
2	Subedar ..	34	334	1,56,672	2	Subedar ..	34	392	1,59,936
3	Jamadar ..	56	212	1,42,464	3	Jamadar ..	89	223	2,38,164
4	Havildar-Major ..	1	102	1,224	4	Havildar ..	289	131	4,54,398
5	Havildar ..	223	102	2,72,952	5	Naik ..	243	97.50	2,84,310
6	Naik ..	87	77.50	80,910	6	Lance Naik ..	243	97.50	2,84,310
7	Writer Naik ..	39	77.50	36,270	7	Sepoy ..	2,935	97.50	34,33,950
8	Lance Naik ..	87	77.50	80,910	8	Tailor Constable ..	5	97.50	5,850
9	Sepoy ..	3,043	77.50	28,29,990	9	Cobbler Constable ..	5	97.50	5,850
	Total	..	..	36,24,432		Total	..	..	48,90,198
10	Followers ..	333	60	2,39,760	10	Followers ..	300	63	2,26,800

APPENDIX XII—contd.

PRESENT.					PROPOSED.					
Serial no.	Rank.	Strength.	Average monthly cost including C.L.A. (in Rs.).	Annual cost (in Rs.).	Serial no.	Rank.	Strength.	Average monthly including Central rates of D.A. (in Rs.).	Annual cost (in Rs.).	
1	2	3	4	5	6	7	8	9	10	
(d) MOUNTED MILITARY POLICE.					(d) MOUNTED ARMED POLICE.					
1	Sergeant-Major	..	1	384	4,608	1	Resaldar-Major ..	1	392	4,704
2	Jamadar	..	7	212	17,808	2	Jamadar	5	223	13,380
3	Resaldar	..	1	268	3,216	3	Resaldar	2	392	9,408
4	Remount Daffadar	..	1	102	1,224	4	Remount Daffadar	1	131	1,572
5	Farrier Daffadar	..	1	102	1,224	5	Farrier Daffadar	1	131	1,572
6	Quarter Master Daffadar	..	1	102	1,224	6	Quarter Master Daffadar	1	131	1,572
7	Daffadar	..	14	102	17,136	7	Daffadar	10	131	15,720
8	Naik	..	12	77.50	11,160	8	Naik	8	97.50	9,360
9	Lance Naik	..	12	77.50	11,160	9	Lance Naik	8	97.50	9,360
10	Sowar	..	131	77.50	1,21,830	10	Sowar	95	97.50	1,11,150
11	Tailor	..	1	77.50	930	11	Tailor	1	97.50	1,170
12	Farrier	..	7	77.50	6,510	12	Farrier	5	97.50	5,850
13	Compounder	..	7	102	8,568	13	Compounder	5	131	7,860
14	Saddler	..	7	77.50	6,510	14	Saddler	5	97.50	5,850
15	Trumpeter	..	7	77.50	6,510	15	Trumpeter	5	97.50	5,850
Total		..	..	2,19,618	Total		..	..	2,04,378	
16	Followers	..	35	60	25,200	16	Followers	30	63	22,680
D. SPECIAL POLICE ORGANISATION.					D. SPECIAL POLICE ORGANISATION.					
(i) TRANSPORT.					(i) TRANSPORT.					
(a) DRIVING STAFF.					(a) DRIVING STAFF.					
1	Driver	..	425	77.50	3,95,250	1	Driver	730	97.50	8,54,100
2	Assistant Driver	..	429	77.50	3,98,970	2	Assistant Driver	655	97.50	7,66,350
(b) WORKSHOP.					(b) WORKSHOP.					
3	Sergeant-Major	..	1	384	4,608	3	Head Driver Mechanic	42	131	66,024
4	Head Driver	..	25	77.50	23,250	4	Fitter	16	223	42,816

APPENDIX XII—*contd.*

PRESENT.					PROPOSED.				
Serial no.	Rank.	Strength.	Average monthly cost including C.L.A. (in Rs.).	Annual cost (in Rs.).	Serial no.	Rank.	Strength.	Average monthly cost including Central rates of D. A. (in Rs.).	Annual cost (in Rs.).
1	2	3	4	5	6	7	8	9	10
(b) WORKSHOP— <i>concl'd.</i>					(b) WORKSHOP— <i>concl'd.</i>				
5	Fitter ..	..	4 212	10,176	5	Assistant Fitter..	..	5 131	7,860
6	Assistant Fitter ..	..	1 114	1,368	6	Painter ..	..	5 223	13,380
7	Blacksmith ..	..	1 212	2,544	7	Smith ..	..	6 223	16,056
					8	Upholsterer ..	..	1 97.50	1,170
(c) MOTOR LAUNCHES.					(c) MOTOR LAUNCHES.				
8	Sarang Head Constable ..	2	106	2,544	9	Sarang Head Constable ..	5	108	6,480
9	Launch Driver ..	1	77.50	930	10	Launch Driver ..	15	98	17,640
10	Launch Assistant Driver ..	3	77.50	2,790	11	Lasker ..	21	63	15,876
11	Mallah ..	3	77.50	2,790					
Total ..				8,45,220	Total ..				18,07,778
(ii) POLICE RADIO.					(ii) POLICE RADIO.				
1	Deputy Superintendent of Police.	1	593	7,116	1	Superintendent of Police ..	1	1,047	12,564
2	Inspector ..	6	384	27,648	2	Deputy Superintendent of Police.	1	605	7,260
3	Sub-Inspector ..	20	212	50,880	3	Inspector, Radio ..	6	432	31,104
4	Assistant Sub-Inspector ..	96	120	1,38,240	4	Supervisor, Technical ..	11	350	46,200
5	Literate Constable Operator..	191	77.50	1,77,630	5	Supervisor, Operational ..	320	350	1,34,400
6	Messenger ..	35	77.50	32,550	6	Radio Technician ..	35	309	1,29,780
					7	Workshop Assistant ..	2	211	5,064
					8	Workshop Hand ..	17	177	36,108
					9	Fitter, Electrician ..	11	177	23,364
					10	Fitter, Battery ..	2	177	4,248
					11	Fitter, Engine ..	4	177	8,490
					12	Carpenter ..	2	177	4,248
					13	Painter ..	2	177	4,248
					14	Tin Smith ..	1	177	2,124

APPENDIX XII—*contd.*

PRESENT.					PROPOSED.					
Serial no.	Rank.	Strength.	Average monthly cost including C.L.A. (in Rs.).	Annual cost (in Rs.)	Serial no.	Rank.	Strength.	Average monthly cost including Central rates of D.A. (in Rs.).	Annual cost (in Rs.)	
1	2	3	4	5	6	7	8	9	10	
(ii) POLICE RADIO—concl'd.					(ii) POLICE RADIO—concl'd.					
					15	Storeman, Technical	..	4	309	14,832
					16	Assistant Storeman	..	4	258	12,386
					17	Mast Laskar	..	2	177	4,248
					18	Draughtsman	..	1	213	2,556
					19	Wireless Operator	..	326	258	10,09,296
					20	Messenger	..	70	63	52,920
		Total ..	..	4,34,064		Total ..	..	..	15,45,446	
(iii) PROSECUTING STAFF.					(iii) PROSECUTING STAFF.					
1	Senior District Prosecutor	..	16	593	1,13,856	1	State Director of Prosecution	1	} Cost to be borne by the Law Department.	
2	District Prosecutor	..	20	412	98,880	2	District Director of Public Prosecution.	17		
3	Assistant District Prosecutor	..	136	274	4,47,168	3	District Prosecutor	29		
						4	Assistant District Prosecutor	236		
						5	Civilian Orderlies	68		
		Total ..	..	6,59,904						
E. NON-POLICE PERSONNEL.					E. NON-POLICE PERSONNEL.					
(i) STATE FIRE SERVICE.					(i) STATE FIRE SERVICE.					
1	State Fire Officer	..	1	593	7,116	1	State Fire Service Officer	..	1	} Cost to be borne by the L. S.-G. Department.
2	Sub-Inspector	..	5	212	12,720	2	Assistant State Fire Service Officer.	..	1	
3	Firemen Constable	..	123	77.50	1,14,390	3	Station Officer	..	4	
						4	Station Sub-Officer	..	30	
						5	Firemen Constable	..	308	
						6	Civilian Orderlies	..	3	
		Total ..	..	1,34,226						

APPENDIX XII—concl'd.

PRESENT.					PROPOSED.						
Serial no.	Rank.	Strength.	Average monthly cost including C. L. A. (in Rs.).	Annual cost (in Rs.).	Serial no.	Rank.	Strength.	Average monthly cost including Central rates of D. A. (in Rs.).	Annual cost (in Rs.).		
1	2	3	4	5	6	7	8	9	10		
(ii) EXPERT OF CRIMINAL INVESTIGATION DEPARTMENT.					(ii) EXPERT OF CRIMINAL INVESTIGATION DEPARTMENT.						
1	Officer in-charge	..	3	384	13,824	1	Director	..	3	605	21,780
2	Senior Expert	..	8	384	36,864	2	Senior Expert	..	13	392	61,152
3	Junior Expert	..	26	338	1,05,456	3	Junior Expert	..	57	346	2,36,664
						4	Searcher	..	4	133	6,384
						5	Tester	..	4	133	6,384
	Total	..	..	1,76,144		Total	..	..	3,32,364		
(iii) RESEARCH AND STATISTICAL BUREAU.					(iii) RESEARCH AND STATISTICAL BUREAU.						
1	Statistical Officer	..	1	435	5,220	1	Statistical Officer	..	1	424	5,088
2	Junior Statistical Assistant	..	2	212	5,088	2	Junior Statistical Assistant	..	2	223	5,352
3	Statistical Computer	..	2	165	3,960	3	Statistical Computer	..	2	171	4,104
						4	Civilian Orderlies	..	2	97.50	2,340
	Total	..	..	14,268		Total	..	..	16,884		
(iv) REPORTERS OF STATE INTELLIGENCE DEPARTMENT.					(iv) REPORTERS OF STATE INTELLIGENCE DEPARTMENT.						
1	Officer-in-charge	..	1	353	4,236	1	Officer in-charge	..	1	353	4,236
2	Senior Reporter	..	3	353	12,708	2	Senior Reporter	..	3	353	12,708
3	Junior Reporter	..	21	245	61,740	3	Junior Reporter	..	21	245	61,740
	Total	..	..	78,684		Total	..	..	78,684		
(v) MAP AND PLAN DRAWER.					(v) MAP AND PLAN DRAWER.						
						Map and plan drawer	..	31	237	98,134	
F. FOLLOWERS.					F. FOLLOWERS.						
Included in armed and un-armed police above.					Included in armed and un-armed police above.						
G. MINISTERIAL OFFICERS.					G. MINISTERIAL OFFICERS.						
	Ministerial Officers	..	913	..	15,22,800		Ministerial Officers	..	1,215	..	20,46,000

APPENDIX XIII.

ABSTRACT OF THE PRESENT AND PROPOSED COST ON ACCOUNT OF PAY.

				Present.	Proposed.	Increase.
				Rs.	Rs.	Rs.
A. ADMINISTRATIVE OFFICERS	..	..	..	2,05,200	2,05,200	Nil.
B. SUPERVISORY OFFICERS	..	..	..	25,67,496	27,28,992	1,61,496
C. EXECUTIVE FORCE—						
(i) Unarmed Police	..	..	..	2,04,63,402	3,19,36,230	1,14,72,828
(ii) Armed Police—						
(a) D. A. P.	..	..	..	51,85,074	69,80,154	17,95,080
(b) Anchal Force	..	..	..	35,63,160	43,62,900	7,99,740
(c) S. A. P.	..	..	..	36,24,432	48,90,198	12,65,766
(d) M. A. P.	..	..	..	2,19,618	2,04,378	(—)15,240
D. SPECIAL POLICE ORGANIZATION—						
(i) Transport	..	..	..	8,45,220	18,07,778	9,62,558
(ii) Police Radio	..	..	..	4,34,064	15,45,446	11,11,382
(iii) Prosecuting Staff	..	..	—	6,59,904	Nil	(—)6,59,904
E. NON-POLICE PERSONNEL—						
(i) State Fire Service	..	..	..	1,34,226	Nil	(—)1,34,226
(ii) Experts of C. I. D.	..	..	..	1,56,144	3,32,364	1,76,220
(iii) Research and Statistics Bureau	..	..	..	14,268	16,884	2,616
(iv) Reporters of State Intelligence Department	..	..	..	78,684	78,684	Nil.
(v) Map and plan drawer	..	..	..	Nil	98,164	98,164
F. FOLLOWERS—						
(i) Unarmed	..	..	..	2,880	12,096	2,65,896
(ii) D. A. P.	..	..	..	Nil	2,72,160	
(iii) S. A. P.	..	..	..	2,39,760	2,26,800	
(iv) M. A. P.	..	..	..	25,200	22,680	
G. MINISTERIAL OFFICERS	..	..	..	15,23,800	20,46,000	5,22,200
Total	..	..	..	3,99,42,532	5,77,67,108	1,78,24,576

APPENDIX XIV.

STATEMENT OF AREA, POPULATION, EXPENDITURE AND FORCE OF SOME STATES.

Serial no.	State.	Population (1951 Census).	Strength of police (1960).	Expenditure on police in rupees (1959-60).	Ratio of police to population.	Ratio of police to expenditure (in rupees).	Ratio of population to expenditure on police (in rupees).	Remarks.
1	2	3	4	5	6	7	8	9
1	Bihar ..	.. 3,87,33,778	32,861	5,01,89,502	1 : 1180	1,526	1.29	
2	West Bengal ..	.. 2,36,85,703	34,465	7,93,72,000	1 : 687	2,283	3.35	Excludes City of Calcutta.
3	Orissa ..	.. 1,46,45,946	13,852	1,72,20,698	1 : 1057	1,243	1.17	
4	Uttar Pradesh ..	.. 6,32,15,742	62,115	9,79,62,434	1 : 1017	1,577	1.55	
5	Bombay ..	.. 3,50,69,356	61,353	13,68,01,638	1 : 571	2,229	3.86	Includes City of Bombay.
6	Madras ..	.. 2,99,74,936	29,304	5,79,59,377	1 : 1023	1,978	1.93	Includes City of Madras.
7	Madhya Pradesh ..	.. 2,60,71,637	40,607	..	1 : 642	..	..
8	Andhra Pradesh ..	.. 3,12,60,133	35,445	..	1 : 881	..	..
9	Punjab ..	.. 1,61,34,890	34,254	4,51,88,690	1 : 471	1,319	2.80	
10	Assam ..	.. 90,43,707	14,557	3,29,30,242	1 : 621	2,226	3.4	

4 Police—38.

APPENDIX XV.

REPORT OF THE DEPARTMENTAL COMMITTEE ON FORMS, RECORDS AND RETURNS.

A Departmental Committee was constituted on 15th June 1959 by the D.I.-G., C.I.D. in pursuance of directions which were received from the Police Commission and conveyed through the Inspector-General of Police with a view to examining the following term of reference :—

“Whether the form of statistical returns now adopted is satisfactory or capable of improvement and whether the use to which such returns are put as tests of police working is appropriate; whether also any improvements are necessary in the registers and other records maintained in the Police-Stations and other police offices for compiling the data regarding crimes and criminals.”

The Committee was required to advise the Commission in regard to the retention, abolition or introduction of forms in use in the Police Department. The Committee was constituted by including representatives from all ranks of the police as far as this could be conveniently arranged.

The Committee at the beginning consisted of the following :—

- (1) Shri S. Akhaury, I. P., D. I.-G., C. I. D., Bihar—*Chairman*.
- (2) Shri R. N. Roy, I. P., Senior S. P., Patna.
- (3) Shri S. K. Chatterjee, I. P. S., S. P., Crime, C. I. D.
- (4) Shri S. N. Roy, I. P. S., A. S. P., C. B., C. I. D.
- (5) Shri M. N. Sahay, Dy. S. P., C. B., C. I. D.
- (6) Shri K. P. Sinha, Inspector, Gardanibagh Police-Station.
- (7) Shri K. B. Sahay, S.-I., Kotwali Police-Station.
- (8) Shri Mundrika Prasad Singh, A. S.-I., Pirbahore Police-Station.

Subsequently Shri M. N. Sahay, Dy. S. P., C. B., C. I. D. had to be relieved on account of his other pre-occupations and the services of Shri J. D. Singh, Dy. S. P., C. B., C. I. D. were utilised. At a later stage Shri A. P. Misra, I. P. S., Senior S. P., Patna, Shri S. B. Sahay, I. P. S., S. P., Darbhanga were also co-opted as members of the Committee. The Committee has had the benefit of the technical advice of Dr. D. N. Lal (Head of the Department of Statistics, Patna University), a reputed statistician of this State and Shri K. R. P. Verma, the Statistical Officer of our Statistics and Research Bureau.

At the outset the Committee mainly confined itself to the examination of records which were connected with crimes and criminals in conformity with the term of reference which was communicated to it. But in consequence of a subsequent communication which was received from the Police Commission the scope of the assignment was further amplified and the Committee was required to examine even forms which were purely of administrative nature. In this letter the Committee was advised to divide the existing forms in two broad categories, namely, (i) those relating to crimes and criminals with reference to prevention, investigation and prosecution, and (ii) those relating to account, establishment and matters dealing with administration and organization. The Committee was also instructed to concentrate on a detailed and critical examination of the forms of the first category. In course of further elucidation of

these instructions, it was indicated that while recommending elimination, replacement and retention or combination of the various forms, the main objective should be to secure standardization and perfect co-ordination at all levels from the police-station to the Police headquarters and to avoid waste of effort due to duplication at any level. It was also indicated in this connection that at present there were too many interconnected registers which with slight alterations could be amalgamated. In other words it was desired that while perfect harmonization should be achieved at all stages, for the sake of economy of efforts, multi-purpose registers should be devised as far as practicable. Whereas constant endeavour was made to adhere to the aforesaid instructions, for various reasons which would be elucidated in the following chapters, it was not possible to achieve that amount of streamlining which was intended or which would be ideal. While examining different aspects of each register, the Committee often came to the inevitable realization that although apparently it had some resemblance with another register, it had always a distinctly separate purpose to serve. A combination of two or three registers would sometimes make the maintenance extremely clumsy with unavoidable confusion in which the basic purpose for which such registers were introduced would be lost. Moreover it was realised that so long as police statistics were the responsibility of a thana officer with no special skill in the subject, it would be always useful to have a separate register of simple design for each specific purpose. It appeared to the committee that the police forms which were designed previously were done, for obvious reasons, in pursuance of this simple criterion. The Committee fell back on this cardinal principle and avoided making any recommendation which would make the form difficult or unintelligible.

The Committee while examining the existing forms also felt handicapped as the Police Manual, Vol. II, dealing with forms was inseparably connected with the other volumes of the Police Manual. It was often realised that a particular form could not be re-designed without appropriate amendment in the corresponding Police Manual Rule. Wherever feasible such modification had to be included in the Committee's recommendations but matters which required too many changes, for obvious reasons, had to be left untouched.

While being guided by the principles enunciated by the Police Commission in course of its relevant communications, the Committee always restrained itself from making any recommendations which would create an impression that change was being advocated for its own sake. There are many forms and registers which have stood the test of time. Unless any distinct advantage was gained by altering or replacing them, it would be hardly worthwhile suggesting a statistical innovation without any immediate or tangible advantage.

It should also be mentioned here that this Departmental Committee after due consideration in many matters, thought it would be prudent to make broad suggestions only without getting involved in minute details. This was done on the presumption that after all many of its recommendations would have to be re-examined in wider perspective of changes which would be forthcoming as a result of the findings given by the Police Commission. This would naturally require a more detailed examination of all these matters when the question of implementation of the findings of the Police Commission would be taken up. For this very reason, to cite an example, the Committee refrained from suggesting anywhere that all the forms should be printed in Hindi. It was taken for granted that this transformation would take place as a matter of course.

The Committee while deliberating on the forms did not entertain any illusion regarding its representative character and thought it best to send out a circular to all Superintendents of Police and Range Deputy Inspector-General inviting their suggestions.

All the suggestions which were received as a result of this move were given careful thought and some have been incorporated in the final recommendations.

Notwithstanding all good intentions these preliminaries unavoidably caused some delay and deliberations often suffered on account of interruptions. Most of the members having their own pre-occupations could hardly give that amount of attention to this stupendous work which it deserved. An attempt was, therefore, made to concentrate on comparatively important forms, like Crime Directory, Khatian, General Register, etc. These forms have, therefore, received a more or less sustained treatment.

The recommendations of the Committee will be found in the following paragraphs grouped according to categories of forms discussed :—

REGISTERS AND RECORDS MAINTAINED. COLLECTION FOR DATA ABOUT CRIME AND CRIMINALS.

Serial no.	P.M. Rule.	P.M. Form.	Subject.	Recommendations.
1	2	3	4	5
1	42, 70 and 131	2	Khatian Inspection Register and proposed Crime Index.	<p>This register was apparently introduced with two-fold objective. Firstly, this served as a foundation register from which the annual and half-yearly compilation of crime statistics were made. Secondly, since this register was to be filled in by the Circle Officer, it enabled him to keep an effective checks on systematic maintenance of some important registers, namely, Absconder Register, Property Register and the Crime Directory, Part II. This register, however, mainly contained statistical details and did not have those particulars which were necessary for a comprehensive record of investigation of cases. For instance the names and other particulars of the complainant, the accused persons, etc. and of persons convicted, date of submission of final form and similar other information which is of great importance is not available in the Khatian Inspection Register. Moreover, since it has to be filled by the Circle Inspector during his periodical visits, which at the best can be but monthly and frequently at much longer intervals, it is seldom up to date and by no means can be called a day-to-day running record of investigations taken up in the police-station. It is, therefore, recommended that a crime index should be maintained at the police-station in addition to the Khatian Inspection Register in the <i>pro forma</i>, drawn up by the Committee.</p> <p>If these recommendations are accepted, some of the columns of the Khatian Inspection Register can be deleted. For instance column 18 in the existing Khatian Inspection Register would become redundant.</p>
2	131	3	Register of Station Statistics, Parts I and II.	<p>At present the thana statistics are being compiled at annual and half-yearly intervals. The Committee while discussing the station statistics could not see any specific advantage in the maintenance of the half-yearly statistics. It would rather appear that it was merely a duplication of work and could be easily dispensed with. Correspondingly this would necessitate deletion of the words "half-yearly" from Police Manual Rule 131.</p>

To bring the annual compilation in line with the present day requirement the marginal crime classification headings require the following additions, i.e.—

- (i) Sections 360 to 369, I.P.C.
- (ii) Sections 406 to 409, I.P.C.
- (iii) Sections 419 to 420, I.P.C.

This should be done by deleting headings relating to Salt and C.T. Act cases. Similar modifications are indicated in the column meant for true cases.

Serial no.	P. M. Rule.	P. M. Form.	Subject.	Recommendations.
1	2	3	4	5

While the Khatian Register was to indicate the distribution of cases among investigating officers was useful or not was discussed. Some thought that it would suffice if only informations which were recorded in the left hand side of the Khatian Register were available. The Committee, however, thought that perhaps it would be useful to know how investigations of cases were being distributed to the investigating officers available at each police-station. A practice is not uncommon to endorse unknown burglary cases to junior and inexperienced officers. The officer-in-charge sometimes displays an extremely injudicious and unreasonable bias for cases where burglars have been arrested red-handed by the inmates or their neighbours.

Juvenile Crime Statistics

While examining this register the Committee had to discuss at some length the problem of maintenance and transmission of statistics relating to juvenile crime at various stages. An attempt was made to introduce a few more columns to indicate the age of the offenders in the Khatian Register itself and thus make this register to serve the purpose. It was, however, found that this would make the register extremely cumbersome and it would be difficult to indicate both age and sex in order to facilitate preparation of statistics relating to both boy and girl offenders. It was ultimately decided that a separate register should be maintained in the D. C. B. in the form a sample of which has been prepared by the Committee. This form corresponds to the form which has been circulated by the Intelligence Bureau, New Delhi, for collection of quarterly and annual statistics of juvenile delinquency.

3 118 and 883

16

Absconders' Register ...

The Committee thought that this was register of considerable value and its utility would increase further and information recorded therein would be in conformity with the present needs if the following modifications are introduced :—

In column 2 *after* the word "Family" "Relations" should be *inserted*.

In column 5 of the present form *after* the last word "Record", the following words should be *added* :— "Photograph of passport size, if available, should be affixed". This has been thought necessary as it will facilitate identification of the absconder.

A few pages should be set apart at the beginning of the book for the comparison certificate under the following headings :—

- (i) Date of comparison of the Station Register with the S. P.'s Register.
- (ii) The signature of the Comparing Officer (Deputy Superintendent of Police or Inspector, D. C. B.).

The present form of enquiry note-sheet available in the absconders' register is not considered adequate for the purpose of systematic recording of enquiry.

The note-sheet would improve if the details of enquiry were tabulated under the following headings :—

- (i) Date.
- (ii) Name of enquiring officer.
- (iii) Details of action taken including particulars of enquiry slip issued.
- (iv) Result of enquiry including return of enquiry slips. Names of witnesses present during the enquiry should be indicated here.

Serial no.	P.M. Rule.	P.M. Form.	Subject.	Recommendations.
1	2	3	4	5
4	109(b)	17	Report of Attachment under section 88, Cr. P.C.	A minor modification is proposed in the existing form— “Signature of witnesses” should be printed at the bottom of the form in the same line as “Signature of officer executing the order”.
5	119, 120, 327	18	Malkhana Register	<p>This register should be maintained in two separate volumes, viz., Part I and Part II. Part I should contain the particulars of all property seized or taken charge of by the police. Part II should contain a list of all identifiable stolen properties which have not been recovered. The practice is to maintain both these items in the same volume of the register together and only items pending for disposal are brought forward. The proposed method of maintenance of this register will make search much easier whenever any reference was necessary.</p> <p>In column 8 of Part I which is to be maintained in the existing form “Zimonama receipt no. ” should be marked <i>after</i> the word “Police-Station” and before the commencement of clause (2). In this column, sub-clause (2) also should be <i>reprinted</i> as follows:—“Reasons for delay in disposal and action taken”. Reasons why these modifications are being proposed are obvious.</p> <p>Part II of the register will be in the following form :—</p> <ol style="list-style-type: none"> (i) Yearly consecutive no. (of each item). (ii) Case reference. (iii) Owner's name and address. (iv) Description with specific mark of identification. (v) Value. (vi) Reward offered, if any. (vii) <i>Remarks</i>.—“In case of recovery, date of recovery and reference of entry in Part I register should be noted here.” <p>It is also recommended that Part II of the register, as indicated above, should be maintained permanently. This would mean printing of a new form, namely, P. M. Form no. 18A and corresponding modification would be necessary in the P. M. Rules. The duplicate pages should be perforated for easy removal from both the Parts.</p>
5A	..	..	P. M. Form 24A—Malkhana Statement Certificate.	<p>The Committee favoured the introduction of P. M. Form no. 24A which will provide for a certificate by Court officer while forwarding the Malkhana statement vide P. M. Rule 327. The certificate will be in the following form :—</p> <p>“Police-Station Month of</p> <p>Certified that I have obtained orders of the Magistrate for the disposal of all items shown as pending receipt of Magistrate's order and forwarded them to the officer-in-charge except in respect of the following items for reasons noted against each”.</p>
6	76	25 and 25A	List of persons under surveillance. List of active criminals of bordering P.-Ss.	It is suggested that an additional column should be introduced after column 3 with column heading “occupation and educational qualification”. In order to adjust this column, column 8 for remarks should be proportionately reduced. It is further suggested that the date of last revision of the list should be indicated at the top after the main heading,

Serial no.	P.M. Rule.	P. M. Form.	Subject.	Recommendation.
1	2	3	4	5

"List of persons under surveillance etc." (corrected up to). In this connection, the question of maintaining a register to indicate efforts made in the police-station to familiarise the constables with the criminals of the local and bordering police-stations was also examined. There is no Police Manual Form for maintenance of records relating to such recognition trips and Police order no. 24 had to be issued to systematize this matter. The register which has been prescribed in this Police Order has been examined and it is suggested that it may be modified as follows:

Serial No. and name of constable. no.	Date of joining.	Name of Bad Characters (Local) Part I. Name of Bad Characters.
--	------------------	---

N.B.—The date, months and years of recognising the B. C. by the constables will be noted in the column under each B. C. against his (constable's) name.

Serial no.	No. and name of constables.	Date of joining.	Name of Bad Characters bordering P. Ss.) Part II.	
			Name of B. Cs. Poonpan P.-S.	Name of B. Cs. Masauri P.-S.
1	2	3	4	5

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N.B.—The date, month and year of recognising the B. C. by the constables will be noted in column under each B. C. against the constable's name.

Serial no.	P.M. Rule.	P. M. Form.	Subject.	Recommendations.
1	2	3	4	5

1 76 25 and 25A

It is further recommended that a separate register in two parts will be maintained, viz., (i) for local B. Cs. and (ii) for bordering B. Cs. for the Choukidars and Dafadars. These registers will be maintained permanently and entries will be brought forward when columns are full. The names of constables transferred will be deleted from the current page and the word "transferred" noted against his name. The name of the constable joining will be entered. This will facilitate checking by the supervising officer who will come to know at a glance the exact position about the recognition of B. Cs. by a particular constable during his stay in that P.-S. Similar modifications will be necessary in the vertical columns pertaining to B. Cs. removed from or brought under surveillance, as mentioned above.

Serial no.	P. M. Rule.	P. M. Form.	Subject.	Recommendations.
1	2	3	4	5

7	143	..	26	F. I. R.	..	In column 3 value of property stolen and recovered indicated by letters ("P.S."/"P.R.") should be <i>added</i> . After the words "with section" and the words "of property carried off, if any" may be <i>deleted</i> . There should be more space in column 2 so that it is possible to record legible names of accused persons, where a number of them are concerned. Insertion of " and age" should be made, in this column after the word "accused". The F. I. R. book should be in foolscap size and in book form. The original and other copies except the office copy should be perforated for easy removal. Some of the F. I. R. books should be printed in quintuplicate for use where there are Circle Inspectors and S.D.P.Os. A practice has drawn to fill up at the top of the office copy of the F. I. R. certain details under the following manuscript headings which should now be printed only in the office copy with a view to standardise it. The <i>pro forma</i> is given below. This kind of docketing will be unnecessary if the committee's recommendation to introduce a crime index is accepted.
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Pro forma.

F. R., C. S. with no. and date.	Section of law.	Persons sent up.			Abs-conder r. g. s. tor.	Mal-khana Reg st r.	C.D., Part II.	Invest. Officer.
		Con.	Acq.	Pend.				
1	2	3	4	5	6	7	8	9
8	151	..	27	Hue and Cry Notices	..	"Distance and direction of the P. O. from the P.-S." may be <i>added</i> in column 2 of the form.		

Serial no.	P. M. Rule.	P. M. Form.	Subject.	Recommendations.
1	2	3	4	5

9	144	..	28	Non-F. I. R. Register	..	In this connection Police Order no. 30 was also examined and it was decided that it should be continued with following modifications. As too many subdivisions are likely to cause confusion the non-F. I. R. register maintained at the P.-S. should have only two parts.
---	-----	----	----	-----------------------	----	--

Part I should include—

- (a) Cases under sections 107, 109, 110, 133, 141, 145, Cr. P.C.
- (b) Non-cognizable cases under I. P. C.
- (c) Miscellaneous Acts excepting section 34 of Police Act.
- (d) District Board, Municipal and other bye-laws.

Part II should include—

- (a) M. V. Act.
- (b) M. V. Act and M. V. Taxation Act cases.

Serial no.	P. M. Rule.	P. M. Form.	Subject.	Recommendations.
1	2	3	4	5

A separate part of the register to enter M. V. Act cases was thought necessary as there were frequent complaints of loss and misplacement of prosecution reports under this Act. In this connection it is further recommended that the reports under the M. V. Act should be acknowledged in a form which should be affixed in perforated slips at the bottom of the prosecution report by the Court/S. P. office in the form appended below :—

To
The Officer Incharge
P.-S.

I acknowledge the receipt of your M. V. Act Prosecution Report no. _____ dated _____
against _____
This has been entered in serial no. _____ dated _____ of this office non-F.I.R.
Register. The final result will be communicated after the disposal of the case.

Court Officer.

To
The Officer Incharge
P.-S.

I acknowledge the receipt of your M. V. Act Prosecution Report no. _____ dated _____
against _____
The prosecution has been sanctioned/not sanctioned.

Superintendent of Police.

Serial no.	P. M. Rule.	P. M. Form.	Subject.	Recommendations.
1	2	3	4	5

In column 4 of the present form of the Register the following should be added "age, occupation and educational qualification/literacy as far as possible should be noted here" for the purposes of statistical return.

A fresh column may be added for writing "Date of submission of report/Name of enquiring officer". This may be inserted in place of present column 8 and the present column 8 should become column 9 and column 9 should become column 10, which should be the remarks column instead of the present heading.

10 144 .. 29 Report under section 31, Police Act.

The present form may be retained but may be re-printed in a different manner. It is likely to reduce materially the work of the reporting officer who can prepare the report with carbon process and send the original with the copy meant for the court officer who after completing the entries about the Magistrate's order will return the form to the police-station. Both the original copies should be perforated. It should be re-printed as sample attached.

In column 6 "and age" should be added after the word "accused".

11 143 .. 30 Case diaries

The case diaries should be in the foolscap size and some of the case diary books should be in quadruplicate for use in S. R. cases where there are Circle Inspectors and S. D. P.Os. All the copies should be perforated.

Serial no.	P. M. Rule.	P. M. Form.	Subject.	Recommendations.
1	2	3	4	5

12	165	31	Search List	<p>The present form is quite comprehensive. There is, however, no column to show the case reference in connection with which the search is to be conducted. It is, therefore, considered that "P.S. and case reference" may be noted against a new Sl. 4 at the top of the search list.</p> <p>It appears that in Punjab a form has been introduced to secure attendance of a witness at the search in pursuance of section 103, sub-clause (1), Cr. P. C. It is suggested that this form may be adopted here as P. M. Form 31-A. A sample is given below :—</p>
----	-----	----	-------------	--

P. M. FORM 31-A.

Order under section 103(1) Cr. P. C., requiring attendance of a witness at a search.

F. I. R. no.
Section

Dated
Police station

To

Whereas it is necessary to make a search in the abovementioned case of house/shop/place of..... situated in....., therefore, I,..... call upon you to attend at the aforesaid house/shop/place..... at o'clock forthwith to witness the search.

N.B.—Failure to attend without reasonable cause is punishable under section 187, I.P.C.

Dated

Signature and designation of the officer
conducting the search.

Serial no.	P. M. Rule.	P. M. Form.	Subject.	Recommendations.
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13	174	32	Charge-sheet	<p>In the innerfoil "no. of charge" should be "No. of charge-sheet with date and section".</p>
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"No. and date of First Information" should be "No. and date of F. I. R. with section". The heading "Accused persons" should be "Name of accused persons with their parentage, address and age". "Name of witnesses" should be "Names, parentage and addresses of the witnesses". This column should have more space. There should be a column for indicating the "reference to C. D., Part II". On the reverse there should be a column for noting "result of the trial". In the outerfoil which is sent to court, in column 2 'parentage' should be added after the word "names".

On the reverse of the charge-sheet form serials 1 to 3 with signature of the station officer should stand. Certificate above serial 4 together with serial 4 should be omitted. Certificate of the court below serial 4 should stand.

In U. P. a printed postcard is in use in which information is communicated to the complainant regarding the result of investigation ending in Charge-sheet. We have also P.M. Form no. 82 for the same purpose, but that card is to be used also for Final Report cases. The adoption of this certain modification will be dealt with under heading P. M. form no. 82.

Serial No.	P.M. Rule.	P.M. Form.	Subject.	Recommendations.
1	2	3	4	5
14 181	..	33	Final Report	.. There is a practice to note in the outerfoil of the Final Report Form on the right side top "Date of occurrence", "Date of arrival of the I. O. at the P. O.", "C. D. numbers with dates", and "Reference to C. D., Part II". This is, however, written only for departmental check. This is not written on the original sent to court. As this has become a time-honoured practice of tangible value, these particulars may be printed on the duplicate and triplicate copy of the outerfoil of the Final Report Form. After the words "Number and date of F. I. R." the words "with see." should be <i>added</i> in the inner foil. The form should be of the charge-sheet size and the inner foil should be proportionately increased.
15 185	..	34	Report under section 107, Cr. P.C.	There should be an additional column after column 6 "Remarks of the Circle Inspector". This will be column 7.
16 185 and 404	..	35	Report under section 109, Cr. P.C.	In the present form it is necessary to allot more space for serial 10 so that circumstances of arrest may be given in some details. This purpose can be served if the present form is printed in foolscap size and the headings of serial 10 be given in serial 11 and <i>vice versa</i> . In serial 4 words "age", "sex" should be <i>added</i> .
17 185 and 404	..	36	Report under section 110, Cr. P.C.	There should be a heading "Date of arrest" before the heading "Date of submission". A certificate of local verification by the Circle Inspector or S. D. P. O. should be appended to the form at the proper place. This is essential to eliminate the scope of frivolous prosecution.
18 199	..	37 & 37A	F. I. R. and F. R. of U. D. cases.	In column 2 "sex and age" may be <i>added</i> . In the remarks column "Name and rank of enquiring officer" within bracket may be <i>added</i> . These particulars will be likewise printed in P. M. Form 37A which is the Final Report Form of U. D. cases. Since there is a general complaint regarding shortage of space in both F. I. R. and Final Report forms for writing history and details of the case, it is suggested that this should be printed in foolscap size. In the foot-note there should be instruction that in cases of unidentified dead body specific action taken in regard to Finger Prints and Photograph, etc., of the deceased should be indicated in the body of the Final Report. At present this is often neglected.
19 199	..	38	Inquest Report	.. In column 2 "sex and approximate age" may be <i>added</i> . Column 9 should be changed as follows:—"Opinion of witnesses as to the cause of death and their signatures". Column 10 should likewise be changed. Column 11 which in the aforesaid circumstances would not be necessary may be <i>deleted</i> . "P.-S. and case reference" which is generally noted on the top in the manuscript may be put in serial 1 and other serials should be renumbered accordingly. There should be sufficient space left for writing details in columns 3 to 8.
20 207	..	39	Chalan for use when dead body is sent for examination.	"P.-S. cases reference" which is at present noted on the top of the form, may be printed on the top of the form with a view to standardise it. There should be provision for more space for the history of the case. This can serve the purpose if a foolscap size form is printed lengthwise.

Serial no.	P.M. Rule.	P.M. Form.	Subject.	Recommendations.
1	2	3	4	5
21	209	40	Post-mortem Report	The Committee took pains to examine this form at some length. It was done with a view to assess whether the form served its purpose as the basic piece of medico-legal evidence, and what changes, if any, were needed to make this a document both accurate and comprehensive, keeping in view the present improvements in the knowledge relating to forensic science. A sample form containing the proposed modification is attached.
22	212	41	Injury Report	This should be in foolscap size to provide more space for noting the injuries. The last sentence "All that is known of the cases at present is as follows" may be <i>substituted</i> by "All that is known of the cases and of the apparent injuries found on the person are given below". The existing column 6 on the reverse should be <i>replaced</i> by the heading "If opinion reserved, state reason" and a new column 7 should be <i>added</i> for Remarks. The word "immediately" should be <i>inserted</i> after the word "duplicate" in the second paragraph of the forwarding memo. (page 1). At the bottom <i>after</i> the word "Reply given" on the reverse there should be a fresh paragraph in which will be written "Received at.....hours.....minutes.....(date) and examined at.....hours.....minutes.....(date)". The words "Court Sub-Inspector" in the forwarding memo's para. III in page 1 may be changed to "Court Officer".
23	236	42	Identification of suspects.	This P. M. Form is used for identification of suspects. The Committee was aware of instances where T. I. Parades proved infructuous as the suspects in column with the jail staff managed to keep themselves out. The Magistrate conducting the T. I. Parade has to ensure that correct suspects are produced before him. A specific clause in the certificate would remind him of his responsibility in this regard. Serial 4 may be <i>added</i> on the reverse of the form as follows:— "That correct suspect was put on T. I. Parade." In the P. M. Form just below the main heading "Identification of suspect" at the top the following should be printed "to be filled in by the conducting officer". This form is also used for identification of suspicious article. It will be better if a separate form "Identification of suspicious article" is printed as per sample attached, the no. of which may be given as P. M. Form 42A. Necessary amendment in the P. M. Rule will also have to be made. Both the forms should be in the double foolscap size.
24	240	43	(Certificate of despatch from the police-station and receipt at headquarters of prisoners.)	This form has gone out of use. At present the Command Certificate is serving the purpose of this form with a forwarding report in the manuscript. It is, therefore, considered that this may be abolished and P. M. rule 240, sub-clause (f) should be modified accordingly. It is, however, considered necessary that a forwarding report of the accused should be introduced in a P. M. form under the following headings (sample given below):—

To
The S. D. O.

I HAVE to forward herewith the following persons whose particulars are given below :—

- (1) Name (s) of accused person(s) forwarded with parentage and age.
- (2) Case reference with section of law.
- (3) Whether identified or not.
- (4) Memo. of evidence.

Yours faithfully,
Officer-in-Charge, P.-S.....

Copy to Court Officer.....for opposing bail and for tracing identity of the accused, if unidentified.

Sl. no.	P.M. Rule.	P.M. Form.	Subject.	Suggestion.
1	2	3	4	5
25	184 and 264	45	Brief.	<p>Sl. 3 should be for "No. and date of C.S." Other Sl. should be renumbered. After the last Sl., i. e., 10, a new Sl. no. 11 should have the heading "List of exhibits".</p> <p>In the Col. heading "Name of accused persons sent up" which will now be Sl. 4" with age and description" should be added. There should be some more space for writing the details under this Serial. The purpose can be served if the present form is printed in foolscap size.</p> <p>It has been laid down in the Police Manual Rule 264 that comments shall be furnished by Prosecuting Officer on investigational lapses with a view to remedy them. But as there is no provision in the form for recording these comments the committee felt that a new form should be introduced" comments on Brief by Prosecuting Officer" as P. M. Form 45A with the following columns :—</p> <p>(1) Name of P. S.</p> <p>(2) No. and date of F. I. R. with section of law.</p> <p>(3) No. and date of charge sheet.</p> <p>(4) Comments on remediable defects.</p> <p>The object of this form will be to effectively enforce the provisions of P. M. Rule stated above. This will be prepared by the Prosecuting Officer immediately on receipt of case Diary and exhibits and will be in quadruplicate three copies of which will be sent to S. P., Circle Inspector, and Investigating Officer respectively and the 4th copy will remain with the Prosecuting Officer but will not form part of the case records. After the disposal of the case in the Court this will be sent along with the final memo. as laid down in the P. M. Rule 316. This will be in book form in quadruplicate. -</p>
26	210	46	Certificate to be signed by Magistrate or other Police Officer and forwarded with blood or seminal stains exhibit.	"Emperor" may be substituted by "State"
27	356 and 359	74	Dossier	<p>The history of the dossier holder which is required to be written on the reverse of the dossier fly leaf should be written in columns. It would be much more useful if a photograph of passport size, if available, is affixed to the inner side of the dossier by leaf at the top. The following column headings should be printed :—</p> <p>(1) History</p> <p>(a) Criminal History.</p> <p>(b) Means of livelihood.</p> <p>(c) Usual M. O.</p> <p>(d) Any other matter of interest.</p> <p>The suggestion of the Police Commission that all Dossiers of the District should be compiled in the District Crime Bureau and not at the P.-S. was discussed and found useful. This should not necessarily require modifications in the existing forms of C. S. and final report as dossiers are opened on the basis of final memo. to which case diaries are invariably attached and the D. C. B. will be able to collect requisite data from these records. Where a foreign criminal is concerned the dossier will be sent to the home police-station through the D. C. B. concerned.</p>

Sl. no.	P.M. Rule.	P.M. Form.	Subject.	Suggestion.
1	2	3	4	5

CRIME DIRECTORY—PART II.

28 357 75A

The Committee thought that the present method of maintaining the Crime Directory in which particulars of all offences against property are required to be written in the same volume makes the register extremely bulky and somewhat forbidding even for patient investigating officers. In important police-stations any reference beyond the current year would often involve handling of several old volumes. The result has been that even a conscientious investigating officer seldom takes the pain of making a careful study of the Crime Directory, Part II. A hasty reference to the Alphabetical Index or *modus operandi* Index is all that he does in course of investigation of the case. For identical reason the Crime Directory in its present form frequently goes into arrears. To remedy all these defects and make this register a living book of reference, the Committee strongly felt that it should be maintained in five volumes as noted below in the *pro forma* enclosed :—

- (1) Dacoity.
- (2) Robbery.
- (3) Burglary.
- (4) Theft.
- (5) Miscellaneous.

Each volume should be subdivided according to *modus operandi* classifications. While recommending this the Committee was conscious of the fact that there would be a tendency amongst the investigating officers to limit their search to cases with similar *modus operandi* factors. A routine search of this nature was likely to prove infructuous in a large percentage of cases. To guard against such unimaginative use of the Register the Committee thought that comprehensive instructions would have to be prepared for the guidance of the investigating officers. This should not be difficult once the basic recommendations of the Committee were accepted.

The Committee further felt that no useful purpose was served by entering undetected cases in the Crime Directory.

From the point of view of an average investigating officer only detected cases, i.e., where either conviction was secured or some persons were reasonably suspected would be of real interest for making a study with reference to the case under investigation. Any other peculiarity or special feature in the current incidence of crime would seldom bear any fruit till the complicity of some suspects was available on record. A cluster of cases in a particular area unattended with detection is at best of statistical interest only to the Thana Officer and should not be of much use to him even for shaping his preventive measures if it does not refer to the immediate past. Other records which are available at the Police-Station for instance, the crime map, the Khatian and, finally, the Index of Crime which the present Committee has recommended should serve the purpose for compilation of statistics, for study of incidence of crime and formulation of preventive measures and even for tracing out interesting and valuable features of *modus operandi* which are believed to have recurred in a particular area. This should suffice for diagnosis and symptomatic treatment of any conceivable outbreak. Judging in the above context the Committee was fully convinced that the Crime Directory recommended above should only contain a record of detected cases, i.e., cases which have been chargesheeted or cases in which reasonable suspicion exists against some person or persons.

Sl. no.	P.M. Rule.	P.M. Form.	Subject.	Suggestion.
1	2	3	4	5
29	366	75B	C. D. Part III	This may be split up in two volumes—C. D. Part (III) (a) and C. D. Part (III) (b). The former should be used for notes on crime to be made by the officer-in-charge union by union. It should specially deal with Association of B.Cs., visits of strangers and gangs, arrests of criminals, outbreak of crime showing special measures taken and results achieved as well as other important matters relating to crime. It would be useful if this crime note is made quarterly. The latter part may be used for notes on political, religious, agrarian and labour for which separate pages should be allotted. Each volume should contain more pages than the present one.
30	365	76	Indices to C. D. Part II	The following indices should be maintained for the proposed Crime Directory :— (a) Alphabetical index. (b) M. O. index showing among other things the union in which the criminal resides and the union in which he committed the crime in separate columns. (c) Physical peculiarity index.
31	360	77	C. D. Slips	The C. D. introduced in 1945 has the same columns as printed on the reverse of the C. D. slips but in the P. M. Volume II the columns stand without any amendment. This should now be printed according to the present column of new C. D. as recommended. According to P. M. rule 360 entries have also to be made on the receipt of the C. D. Slips in the Index to C. D. and Dossiers, besides C. D. Part II. Hence "and connected register" may be inserted after Crime Directory, Part II in the reply form.
32	378	80	Enquiry Slip	The columns are self-sufficient but more space to write the details of enquiry appears necessary. It would suffice if the present form is printed in its double size.
33	378	81	Calcutta Enquiry Slip	Since this form has gone out of use, it may be abolished.
34	160, 174 and 181.	82	Intimation regarding result of investigation.	This form is used to inform the informant or complainant after submission of final form under P. M. Rules 171 (a) and 181(a). The card printed in Hindi is not an exact reproduction of the prescribed P. M. Form in volume II. To ensure proper check on the compliance of the P. M. rules, it should be printed in Book form in duplicate, one to be retained at the P.-S. and the other to be sent to the complainant.
34A	Intimation slip regarding refusal of the investigation u/s 157(b), Cr. P.C.			We have no such form in this State as in use in M. P. It is therefore considered that we should also adopt this as P. M. Form 82-A. P. M. Form 82 is meant for giving intimation in final form cases. A sample form is enclosed.
35	510	95	Railway Accident report.	In serial 6 the word "Notice" may be substituted by "Accident Message". The words "Indians and Europeans" may be deleted and there should be only 2 sub-columns with the headings "outsiders" and "Railway Servants".
36	45, 64, 87, 433, 448, 470 and 626.	5	Personal Diary	The form does not require any change. But it is suggested that Personal Diary need not be submitted by the Circle Inspectors and above. The Circle Inspectors should submit a tour diary as other gazetted Police Officers do.
37	59	6	Daily Report	It is felt that this report is seldom received with adequate regularity by the Superintendent of Police and hence its utility as a daily report is extremely limited. The Sub-Committee, therefore, felt that it should make a weekly

Sl. no.	P.M. Rule.	P.M. Form.	Subject.	Suggestion.
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report and the corresponding Police Manual rule (no. 59) should be suitably amended. This form will be now called "weekly report" instead of "Daily report". In columns 1 and 2, cases and U. D. cases reported respectively during the week under review should be shown. Amount of property stolen or recovered in column 3 is considered to be redundant and may be deleted. Instead it is recommended that a new column should be introduced under the sub-heading 3 and the column heading will be "Date of last progress report". The column for "why pending" may be made a little more wide by corresponding reduction of the marginal column for orders in which the words "and D. M." in the column heading should be deleted. The Sub-Committee felt that the District Magistrate seldom passes an order on this report and hence it need not be sent to him nor there is any necessity for routing this report through the Subdivisional Officer. As regards miscellaneous items shown in sub-heading 4, vide P. M. rule 59(c) the Sub-Committee felt that the miscellaneous items indicated in this P. M. rule should be transmitted by the Circle Inspector to the District Headquarters with utmost expedition. The object of incorporating these items in the daily report is totally defeated, since the daily reports are mostly received with great delay. It is, therefore, recommended that all such items, which need immediate attention of headquarters should be reported *post haste* by the Circle Inspector separately and the weekly report should contain only a reference under sub-heading (iv). The forwarding memo. at the end of the present form should be deleted since the report need not be sent to the District Magistrate any longer. Necessary amendment in the P. M. Form and the P. M. rule is indicated.

38 61		7	Progress Report	.. More space should be provided in the present form for writing out the progress of investigation. The column heading of the contents of the report should be modified as "Brief particulars of investigation" and should be reconstituted into two columns, namely: (a) Progress of investigation, (b) Pending actions with reasons. In reasons, in the column 3 against the names of the accused persons an abstract should be furnished giving their present whereabouts, namely, whether in custody, on bail or absconding. This may be indicated by symbols respectively A (for custody), B (for bail) and Abs (for absconding).
39 48(d)		210	Supervision Note	.. The Instructions printed on the reverse should now be printed on the front page itself in the space left blank and the supervision note should begin from the reverse page. <i>Proforma</i> enclosed.

AT S.D.P.O.'s OFFICE.

Since the registers and files maintained in this office are similar to those maintained in Circle Inspector's office, no separate note is necessary.

AT COURT OFFICE.

40 271		48	Register of unidentified persons sent up by the Police.	In the N. B. on the top of the form "Court Sub-Inspectors" may be substituted by "court officers" where it occurs (3 places). In columns 7 and 9 the words "Provincial or Province" may be substituted by "State." In column 4 "P.-S. case no. with date and" may be printed before the present heading.
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Sl. no.	P.M. Rule.	P.M. Form.	Subject.	Suggestion.
1	2	3	4	5
				Column 5 should be divided into two halves, the date of receipt of the unidentified person in the court being shown in the numerator and the date of forwarding F.P. slips to the F.P. Bureau in denominator. This will enable the Inspecting Officer to see at a glance whether the Court Officer made any undue delay in forwarding the F.P. slips.
41	275	49	Search slip	<p>In this form "Court Sub-Inspector" may be substituted by "Court Officer" and "Officer in charge of F.P.B." may be substituted by "Director, F.P.B." wherever these occur. In column 4 "P.-S. case reference and G.R.no." may be substituted in place of the present heading.</p> <p>The size of the form should be bigger in order to provide more space for finger-prints. The space available in the present size is not enough for fully rolled finger-prints. It may be printed in the foolscap size.</p> <p>Better quality paper should be used for this form in order to facilitate taking of good finger-prints.</p>
42	307	51	Court Malkhana Register	<p>The following modifications are suggested :—</p> <p>(a) In column 5 the G.R. no. of the case should also be indicated. Therefore, the heading which is "case" at present should be changed to "case Reference and G.R. no., if any".</p> <p>(b) Column 10 should be divided into two sub-columns, the heading of the 1st sub-column should be "Court's order with date regarding custody" and the heading of the second sub-column should be "Court's order with date regarding disposal".</p> <p>(c) It would be useful to note in column II a reference of the receipt obtained from the owner of the property. Therefore, the heading which is "Date when property is returned to owner" should be changed to "Date when property is returned to owner and reference of the receipt obtained from him".</p> <p>(d) Similarly in column 13, the reference of the Treasury Challan should be noted. The following words, therefore, should be added to the heading :— "and reference of the treasury Challan."</p>
43	308	53	Daily under-trial report	<p>The daily under-trial report is compiled at present day-to-day and all the prosecuting officers working in the court are required to fill in their parts of the entry. This system does not work satisfactorily and the report cannot be used for quantitative evaluation of work done by each court officer.</p> <p>This would be only possible if it were submitted prosecutor-wise. For example, if there are three prosecutors at one Station, instead of including all cases conducted by the three prosecutors in one report, each prosecutor should submit a separate report in respect of cases conducted by him in course of the day. If this is accepted the heading of the form should be changed as noted below:— "Daily under-trial case report for .....1960".</p> <p>"Name of Prosecuting Officer."</p> <p>At present the heading of column 3 is: "Name of Prosecuting Officer". This column will no longer be necessary. But this column (Column 3) could be utilised for indicating "the number of witnesses called for evidence". At present this information is not available in the</p>

Sl. no.	P.M. Rule.	P.M. Form.	Subject.	Suggestion.
1	2	3	4	5
				<p>report and it is felt that it would be useful to have this information as it would indicate the response from the witnesses as also the fact whether adequate number of witnesses were summoned to expedite disposal of the case. Again, column 3 should be sub-divided into two to show "witnesses for prosecution" and "witnesses for defence" separately.</p> <p>It is felt that another column should be provided to indicate "the reasons why witnesses who were present could not be examined". The best place to do so would be between columns 6 and 7.</p> <p>As regards column 7 "number of remands already granted" a practice has grown up to show the number of remands in the numerator and also to show "the total number of days the case was heard" in the denominator. It is felt that this information is useful and the column heading should be modified accordingly.</p> <p>It is felt that "remarks" column should be added at the end in which amongst other things the prosecuting officer should invariably note any complaints made to him by witnesses regarding non-payment of their expenses; also in this column the superior officer through whom the report passes could note whatever comments they may like to make. In column 10 there should be a denominator to indicate the next date of hearing.</p> <p><i>A pro forma</i> is enclosed.</p>
44	312	54	Court Officer's Register of appeal.	<p>The following modifications are suggested:—</p> <p>(a) There is no place where the reference of the case can be indicated. It is felt that this information would be useful. The best place to do so appears to be column 3. Therefore, the heading of this column which is "Name of parties" at present should be changed to "Name of parties and case reference and G.R.No".</p> <p>(b) It would be useful if the reference of the result of appeal is also noted in column 7. The heading of this column which is "Result of appeal" at present may be changed to "Result of appeal with appeal memo. reference."</p>
45	313(b)	55	Result of appeal	.... "Court Sub-Inspector" printed at the bottom of the form may be substituted by "Court Officer".
46	314	56	General Register	.. The Committee had to discuss this register at some length. The maintenance has suffered lately in most of the subdivisional courts on account of certain observations made by Justice Meredith wherein the practice of making a police officer custodian of judicial records was deprecated. In consequence whereas records are being maintained by the S.D.O.'s bench clerk the maintenance of general register itself is still a Police responsibility. Proper upkeep of this register has been found to be an essential pre-requisite for satisfactory maintenance of all records in the police station or elsewhere connected with conviction and registration of criminals. After having carefully examined the problem in this background, the Committee has to make the following recommendations:—

- (1) This register should continue to be the Magistrate's General Register as at present.

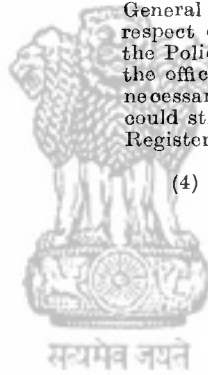
Sl. no.	P.M. Rule.	P.M. Form.	Subject.	Suggestion.
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- (2) Column 4 should be got authenticated by a Magistrate by putting up the F.I. Rs. in the General Register. This could easily be done by the Officer-in-charge of the General Register.

- (3) For filling up columns 7 and 8, the following procedure should be adopted:—

It has been recommended by this Committee that daily under-trial report should be submitted by each Police Prosecutor. Entries in column 7 regarding adjournment and entries in column 8 regarding Magistrate's final orders can be entered in the General Register from these daily under-trial reports.

As regards transfer of cases to other courts and Magistrate's orders on the final report, it is proposed that the Police Prosecutor attached to the S.D.O. court should furnish to the officer-in-charge of the General Register a daily report regarding cases transferred and regarding final reports disposed of, and from this report the officer-in-charge of the General Register could fill in column 7 of the Register in respect of such orders. It is needless to say that where the Police Prosecutor attached to the S.D.O.'s court is also the officer-in-charge of the General Register it will not be necessary for him to submit any such daily report as he could straightway make entries in column 7 of the General Register.



- (4) The Committee felt that it would be useful to publish a daily list in each subdivisional court showing the day-to-day progress of trial in G. R. and other cases. If the High Court agrees to issue instructions to implement the suggestions, this will enable the Prosecuting Officer-in-charge of the G.R. to fill in the requisite columns on the basis of this daily list. This will also eliminate many of the existing corrupt practices in the courts. This daily list should also contain orders passed by S.D.O. and of trying courts regarding police final reports, transfers and adjournment.

- (5) It was further suggested that in the note at the bottom of the existing form item no. 4 should be added and the following words should be printed:—

"Age of all accused persons and suspects arrested by the Police should be recorded against the names (in column 6) on the basis of Police records."

- (6) The name of the I.O. and that of the conducting Officer should be noted in the G.R. An additional column may be provided for this purpose between columns 6 and 7. This new column should be numbered as 7, and columns 7, 8 and 9 will be renumbered as 8, 9 and 10 respectively. These particulars would be of use at the time of compilation of final memo.

- (7) The last column meant for remarks should be preceded by a column for entering reference of Subdivisional Index to Conviction Register. This should be useful in exercising check on preparation of conviction sheets and indexing of convictions.

Sl. no.	P.M. Rule.	P.M. Form.	Subject.	Suggestion.
1	2	3	4	5
47	315	57	Register of cases committed to Sessions.	In between columns 7 and 8 two more columns should be added, viz., "Name of Court" and "Name of State Prosecutor". Accordingly column 8 will be 10 and so on and the last column would be 13.
48	316	58	Final Memo.	.. It appears useful to note "physical peculiarities of the convicts in offences against property" on the F.M. There is hardly any space on the frontside of the form. It would require sufficient space in some of the cases where the no. of accused is large. This purpose would be served if the form was printed in foolscap size providing an additional column in the vertical docketing chart on the top of the form. The present form also does not provide adequate space for recording of remarks by the Circle Inspector and final orders of the S.P. The form is modified as sample enclosed.
49	317	59	Conviction Register	.. The existing register is a comprehensive one and it is not capable of further improvement. A few minor modifications, however, are suggested below:— A column may be provided in between columns 3 and 4 to indicate "Education". It may be printed on the top in the column of instructions, in the subsequent para. to indicate education by the following letters 1—"illiterate", S.L.—"semi-literate.", S—"read in school", C—"read in College." The space in columns 3, 11 and 16 should be double of the present space. The form should be restored to its previous size and the quality of the paper should be better. There should be a column between columns 13 and 14 entitled "Reference of Despatch Check and P.R. slip no.".
50	319	60	Index to Convictions Register.	Under P.M. Rule 319 (d), the Subdivisional Index has to be compared with the Sadar Index at the time of the preparation of annual returns every year. It is, therefore, considered useful to set apart a few pages at the beginning of the book for comparison certificate under the following headings:— (1) Date of comparison of the Subdivisional Index with the Sadar Index. (2) The signature of the Comparing Officer (D.P., A.D.P.).
51	322	61	Court Khatian Register	The heading of columns 3 and 9 may be divided in two sub-headings each, "With Police" and "With Magistrate" which will give an exact idea about the cases pending with each.
52	442	90	Finger-Print slips	.. In this form the following changes appear necessary: (1) The paper used for this form is of poor quality and some better glazed paper should be used for this form. (2) The columns prescribed for taking plain impressions in Madhya Pradesh should be adopted. (3) S.R. reference and P.S. case reference are required to be noted at the top of the form because these information are required by the Central F.P.B.

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(4) C.F.B. D.C. reference and State Bureau D.C. reference are required only as a check to ensure that the F.P.B. has been sent to the C.F.P.B. and to the State Bureau of the convict who may be resident of any other State, say Calcutta, Bombay or Allahabad.

A sample modified form is enclosed.

AT S.P.'S OFFICE.

53	1010	140	Form of special report of crime.	Columns 1 to 7 and 9 in the current P.M. Form no. 140 should be retained.
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The other columns should be deleted and most of the information which are required to be recorded in these columns can be recorded without any difficulty in the Special Report Register or in the Index of Crime. This form should be used only in the first report of the special report case.

54	1011	141	Special Report Register	In the column meant for "Description of final form with section and date" should have one more column for indicating "Charge-Sheet" which will be now column 16. The present columns 16 to 21 will have now one single column, viz., column 17 with the heading "S.D.O.'s order on the final report and the result of trial". There should be other column 18 with the heading "Rank of Supervising Officer". The new column 19 should be "Date or dates of recording of evidence under section 512, Cr. P.C., if any" and the new column 20 should be the last column "Remarks". A sample modified form is enclosed.
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55	1012 and 363	142	History Sheet	The column "If registered under C. T. Act, place and date of registration with sections under which notified" may be deleted in view of the repeal of the C.T. Act.
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FORMS OF STATISTICAL RETURNS RELATING TO CRIME AND CRIMINALS INCLUDING PREVENTION, INVESTIGATION AND PROSECUTION OF CRIME.

AT POLICE-STATION.

Serial no.	P. M. Rule	P.M. Form no.	Subject.	Suggestion.
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1	Appendix	61	19	Annual Surveillance return.	Since the C.T. Act has been repealed there is no necessity for columns 8 to 12. The words "Including C.T. Act members" occurring in columns 2 and 3 should be deleted. In column 2, at the end "previous year" within bracket should be inserted. The Committee felt that the annual statement of surveillances need not be routed through the D.M. In this connection the Committee also considered Police Order no. 27 so far as it relates to quarterly statement of surveillances and felt that in the context of Committee's recommendation that dossiers should henceforward be compiled in the D.C.B., this statement was not strictly necessary. Periodical checks exercised by the Circle Inspectors in course of inspections should suffice.
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Sl. no.	P.M. Rule.	P.M. Form.	Subject.	Suggestion.
1	2	3	4	5

2 Appendix (Sl. 5). 3 No Form Monthly statement of counterfeit G.C. Note. This should be submitted according to the headings as prescribed in P.O. no. 3 which is as follows :—

District.....

Statement of counterfeit Government Currency note for the month of.....

Number of pieces presented or seized.	Series number, circle and date.	Denomination.	Place and date of appearance.	Process made or hand made.	Remarks.
1	2	3	4	5	6

Sl. no.	P.M. Rule.	P.M. Form.	Subject.	Suggestion.
1	2	3	4	5

This is not strictly followed. With a view to regularise it, it appears necessary to convert this in a P.M. Form.

3 134 No Form Monthly Crime Return.. This is submitted in manuscript form prescribed from time to time. It is therefore not necessary to prescribe any standard form for it.

AT COURT OFFICE.

4 294(b) 50 Return of unexecuted warrants. At present there is no column in which the case reference of the cognizable cases could be noted. It is felt that this information would be very convenient to the S.P. for the purposes of checking up with the Absconder Register. It is suggested that the heading of column 5 which is at present "Number of warrant and section of Law" should be changed to "Number of warrant and section of law and F.I.R. reference, if any". The words "if any" have been added because some of the entries may not relate to cognizable cases drawn up by the Police being direct complaint cases.

5 323(b) and Appendix 64. 65 Quarterly Return of bad livelihood cases under sections 109 and 110, Cr. P. C. In this form the number of cases of previous quarter as well as of the current quarter which are tried during the present quarter have to be shown separately with top headings as they stand for the information of superior officers. In columns of "Remarks", however, the notes may be modified as follows, "Here note particulars of criminal gang, if any, bound down and number absconding at the close of the quarter".

AT S. P.'s. OFFICE.

6 Appendix 61 and Rule 1020. 179 Statement 'A', Part I, Annual Return of cognizable cases. Against serial 25 cases under sections 395, I.P.C. to 399, I.P.C. and 402, I.P.C. are shown together. In order to have a clear picture of dacoity figures at a glance, there should be a separate serial for cases under sections 395, I.P.C. to 398 and 402, I.P.C.

Sl. no.	P.M. Rule.	P.M. Form.	Subject.	Suggestion.
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Similarly against serial 9 cases under sections 143 to 153, 157, 158 and 159 are shown. In order to present a clear picture of the riot figures sections 147, 148, I.P.C., should be shown in a separate serial with a view to have a correct figure of riot. Since section 149, I.P.C. is not a substantive offence it would have been better if this be not included.

Similarly against serial 29 cases under sections 449 to 452, 454 and 457 to 460, I.P.C. are shown. With a view to have a clear picture of Burglary figures, cases under sections 454, 455, 457 to 460, I.P.C., should have been shown in a separate serial and the remaining cases under sections 449 to 452, I.P.C. to be shown in another serial.

Any change however in the form would require the concurrence of the Union Government, since all States are required to submit the Statement in the same form as prescribed by the Ministry of Home Affairs.

FORMS, REGISTERS AND STATISTICAL RETURNS RELATING TO ACCOUNTS, ESTABLISHMENT AND MATTERS DEALING WITH ADMINISTRATION AND ORGANISATION.

Serial no.	P.M. Rule.	P.M. Form.	Subject.	Suggestions.
1	2	3	4	5

AT POLICE-STATION.

1	23	1	Procession license	.. A certificate on the reverse of the form should be appended after serial 7 by the recommending authority, i. e. officer-in-charge of the Police-Station. The certificate should indicate that an enquiry has been held and that there is no possibility of a trouble. The certificate should be as follows :— "Certified that an enquiry has been held and that there is no possibility of a trouble." Officer-in-charge. P.-S.....
2	42 and 70	4	Inspection Register	The present form should continue but in view of the difficulty which is now being experienced in pasting the typed inspection note in the foolscap size paper there being hardly any space left for writing out the actions taken on orders, it is recommended that the length and breadth of the Register should be increased by one inch and three inches respectively.
3	90	9	Command Certificate	The existing form in a book is too small. Its size should be enlarged by one half of the present size. The quality of the paper should also improve.
4	97	11	Epidemic Report ..	No change in the form appears necessary. It is, however, felt that P. M. Rule 97 should be suitably modified in view of the changed circumstances now so that this responsibility of collection and transmission of statistics relating to cattle and human epidemic could be transferred from the Police to the other health agencies working at the thana level, under different Blocks or independently.
5	106	12	Return of Trigonometrical survey pillars.	In the changed circumstances the submission of this return may now be transferred from the Police to the Anchal Officers and necessary amendment in P. M. Rule 106 may be made.

Serial no.	P. M. Rule.	P.M. Form.	Subject.	Suggestion.
1	2	3	4	5
6	110	14	Half-yearly statement. absentee	Column 3 should be "Date of appointment" and the present columns 3 to 5 should be changed to 4 to 6. The present column 6 should be column 7 with heading "Total no. of days absent during the previous half year". Present column 7 should be column 8 under heading "Recommendation of Circle Inspector/S.D.P.O." Column 9 should be "S.P.'s order".
7	161	15	Station diary	<p>There should be columns for "Nature of Entry", "Details", and "Reference" in addition to "Entry number" and "Date and Hour". These are considered useful.</p> <p>The station diary book should be in the foolscap size and in the Book form. The duplicate copy should be perforated to facilitate easy removal.</p> <p>A practice has developed to make an entry indicating cash in hand, service stamps available, etc., at the close of the station diary. It is necessary to standardise it. To this end, clear instructions regarding such entries should be printed on each page of the station diary immediately below the horizontal line as below :—</p> <p>"Instructions " :—</p> <ol style="list-style-type: none"> (1) The above information must show the state of the force at the hour the diary opens. (2) At the close of the diary, write— <ol style="list-style-type: none"> (a) cash in hand; (b) service stamps available; and (c) number of accused in Hazat. A sample <i>pro forma</i> is enclosed at Encl. 12.
8	124	22	Monthly cash account book.	<p>In view of the introduction of decimal coinage, the letters "A" and "P" in columns 5, 10 and 12 may be changed into one column "N. P.".</p> <p>This register should also be maintained in Court and Reserve offices to avoid temporary embezzlements. Thousands of rupees are received in the Reserve Office every month for disbursement to the officers and men of the D.A.P., Ordinary Reserve and Anchal guards. Under the existing practice the Reserve Sergeant-Major disburses amounts after taking L.T.Is. or signatures of Payees on the Acquittance rolls. In case of loss of the Acquittance roll, there remains nothing in the Reserve office to show what amounts were disbursed and to whom. The maintenance of this register will preclude the possibility of defalcation, etc. The Committee was strongly of the view that the cash account book should be maintained in the Reserve office and the Court office although that would mean increase in work in these offices.</p>
9	244 & 509 (b)	41	Bill Book for prisoner's diet.	<p>In column 2 "Fed at Station" should be made "Fed at Station with date". Similarly column 3 "Fed on the road" should be made "Fed outside the Station with date".</p> <p>In view of the introduction of decimal coinage columns 5 to 8 should be divided into two sub-columns "Rs. and N.P.".</p>
10	307(c)	52	Challan to accompany cash, property or exhibits sent to Court.	"A" and "P" may be changed into one column, i.e. "n.P.".
11	72		Monthly Return of Inspection by Inspector and summary of work done,	The present form is considered satisfactory except that some modifications are necessary in some of the column headings to make the summary more comprehensive. Number, date and Section of cases personally supervised cannot be recorded within the space of present column 2. It is, therefore, felt that adequate space should be provided for this purpose

Serial no.	P. M. Rule.	P.M. Form.	Subject.	Suggestion.
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on the reverse of the form under the following general headings: "Statement of cases reported and supervised during the month". This will have the following sub-headings :—

Case reference with Section and date—Date on which
F.I.R. reached Inspector's Office—
Office.....
Date of Supervision.....
Remarks.....

(Here incorporate briefly reasons for delay for supervision, if any.)

Space will have to be found for this by printing the columns for monthly return of inspections in 1/4th of the sheet and the remaining portion of the sheet, i.e. 3/4th and will be utilised for the recommended statement. The new column 2 on the obverse of the FORM will have column heading as follows :—

Number of explosive and ammunition shops, Collic of Depots inspected with dates. In column 4 in the heading the words "Checking of explosive shops, etc." should be substituted by "Checking of enquiry reports regarding surveillances, etc.". In column 5 the word "Number" in the column heading will be substituted by "Date and Hour". In the same column the following words should be printed at the end of the column heading :—

(Indicate number of defaulters detected.)

In column 6 the heading should be substituted by "particulars of Motor Vehicles checked".

There are certain discrepancies in the column headings of the present printed form with those printed in P.M. Volume II. The above suggestions are based on the particulars given in the present printed forms. Necessary modification appears necessary in the form printed in P.M. Volume II. Encl. 13A sample *pro forma* is enclosed.

12	326	69	Invoice of arms sent for destruction.	The consignments of Arms for destruction are sent these days to Monghyr Gun Factory. It, therefore, appears necessary that "Bihar School of Engineering, Bankipore, Government Industrial School, Ranchi, Public Works Department, Workshop at Jobere" may be substituted by "Superintendent, Gun Factory, Monghyr" on the right hand side top of the form.
13	654	102	Application of candidate for appointment as S.-I.	The present form printed in Hindi requires following modification. In page one, para two, serial (gha) may now be deleted since the Zamindari has been abolished. In page 4, the following headings in the middle of the form " <i>Nimna Vivran Police Adhichak ko bharne chahiye</i> " should be substituted by " <i>Nimna Vivran Kshetriya Up-mahavirakshak ko bharne chahiye</i> ".
14	139	125	Daily cash book	With a view to knowing the actual dates of encashment of the bills from the treasury at a glance it appears necessary to provide a column for the same in the cash book on the left hand side after the heading "Initial of Superintendent of Police". The column heading for this should be "Date of encashment of the bill from the treasury".

This will eventually enable the inspecting authorities to detect undue delays in encashment of bills.

Serial no.	P.M. Rule.	P.M. Form.	Subject.	Suggestion.
1	2	3	4	5
				Due to introduction of decimal coinage, the linings meant for "Anna and Pie" may now be made into one only, i.e., for writing "nP."
15	965	133(a)	Memorandum for use by accountant.	This form is out of use after the introduction of the "Hare system of the maintenance of Accounts". Accordingly the Reserve Officer and the Accountant prepare the force memorandum in similar form. In the circumstances it appears unnecessary to continue both the forms. This form therefore may be eliminated and P.M. Form 127 may be printed according to the present <i>pro forma</i> in use. The Committee felt that this was not merely a casual acceptance of an existing practice. Compilation of these statements in the same form would definitely make checking more convenient and effective.
16	993	135 & 136	Security Bond	The wordings of the security bonds should be suitably amended in view of the present set up.
17	1005	139	Prisoners' Food and Travelling Allowance Bill.	In this "A & P" may be changed to "nP." in one column only. At present considerable difficulty is experienced in recoupment of prisoner's diet Bill and the small advance placed at the disposal of the Thana Officers is used up very soon. It is, therefore, suggested for the sake of speedier recoupment, that the funds should be placed at the disposal of the Superintendents of Police. This will require appropriate amendments in the P.M. Form under consideration. In this connection, it is also considered that the present rate of prisoner's diet is extremely inadequate compared to prevailing prices and it should be raised.
18	1018	144	Confidential Report	This form has since been modified and the present form which is in use is much more comprehensive. The Committee felt that this form should replace P.M. Form 144. A sample form is enclosed.
19	924	151	Confidential Character Roll.	The present form may continue with one additional Column after the horizontal column "Date of remarks and District" with column heading "period to which the entry relates". There may be an additional column to indicate the "date and issue NUMBER of communication of remarks" on the right hand side of the sheet. A practice is now prevalent to record the annual remarks of non-gazetted executive officers and Ministerial Officers in separate sheets of paper which are pasted in the Character Roll. This was perhaps introduced with a view to make the current remarks as independent of the previous remarks as possible. In practice, this is seldom ensured; on the contrary, the S.P. has to consult the previous remarks frequently in order to decide postings, nominations, etc. The Committee felt that this practice could be discontinued without any disadvantage in consequence. In this context the Committee would recommend adoption of a bound volume for systematic maintenance of Character Roll. The Committee also considered the problem of movement of confidential character rolls. At present there is no uniform practice in this regard although some Ss.P. are maintaining unofficially a movement register. This register perhaps could be universally adopted with standard form.
20	1157	176	Fly leaf for files of building.	In column 9 "and Orissa" may be deleted.

Serial no.	P. M. Rule.	P.M. Form.	Subject.	Suggestion.
1	2	3	4	5
21	Appendix 64	202	Police Budget Estimate	<p>The instructions contained in the current Bihar Budget forms are not included in Police Manual, Volume II. There are only 7 instructions in Police Manual, Volume II whereas in the form there are 12. It is necessary that these should be incorporated in Volume II.</p> <p>Budget estimates are no longer submitted through the Range D.I.-G., and hence "has to be despatched through the Deputy Inspector-General, etc." on the top of the Fly Leaf of the Form should be deleted as also columns which have been provided at the bottom of the Fly Leaf for the counter-signature of the Deputy Inspector-General of Police. A scrutiny of the details of the various units of expenditure reveals that the following are anachronistic and should go :—</p> <ol style="list-style-type: none"> 1. (b) Overseas pay. 9. (b) Reclamation of Magahyia Domes. 13. Contribution to Purulia Sadar Hospital. <p>The remaining columns should be renumbered accordingly.</p> <p>Column 17 which shows now the expenditure on "King's Police Medal Allowance" should be substituted by "President's Police Medal Allowance".</p>
22		203	Bearing Postage account	At present no advance is being accepted by the Post Office on this account and hence this form may be abolished. This is not being used.
23	544	205	Requisition for reserve accommodation on Railway.	<p>"Rule 445" mentioned on the top of the Police Manual Form in Police Manual, Volume II appears to have been wrongly printed. This should be "Rule 544".</p> <p>In the first sentence the word "Inter" should be deleted.</p>
24	957(d)	206	Statement of cost of diet recoverable from the men of the other State admitted in the Hospital.	In this form the word "Provinces" should be substituted by the word "States". The word "and Orissa" should be deleted. Necessary corrections regarding these words have to be made in the Police Manual Volumes wherever they occur. Rule 957(d) as mentioned in the form may be substituted by 957(c) as there is no clause as "(d)" under Rule 957.
25	857	208	Reward Recommendation Police Officers.	"And Orissa Service Code 60" printed at the bottom of the reverse page of the form may be changed to "Service Code Rule 146". Since the Bihar and Orissa Service Code has now been replaced by Bihar Service Code and the Rules governing rewards have been dealt with in Rule 146 of the Bihar Service Code.
26	535	97	Escort requisition	In the horizontal column below the place allotted for the signature of the Officer-in-charge the words "the details of prisoners to be escorted (to be filled in by the jail authorities from the jail record)" may be substituted by "details of prisoners to be escorted (to be filled in by the requisitioning officer)". In the special note appearing at the bottom of the form the word "European" should be substituted by "foreigner".
27	635	99	Target Practice Register	<p>The present form of the Target Practice Register should be modified according to the new practices which have been introduced in the Districts and B.P.M. Units.</p> <p>The above remarks would also apply to Police Manual Form no. 100.</p>

Serial no.	P. M. Rule.	P.M. Form.	Subject.	Suggestion.
1	2	3	4	5
28	673	101	Verification Roll ..	<p>"Extent of Zamindari, if any" in column 5 of the form may now be deleted in view of the Zamindari having been abolished.</p> <p>In column 1, in place of "name and caste", "name and religion" should be printed in consonance with recent Government instructions.</p>
29	672	104	Register of Medical Examination of Candidates.	It will be more appropriate to call this register "Recruitment Register" instead of "Register of Medical Examination of Candidates". An additional column should be provided after column 9 to indicate the "Educational qualification of the candidate". The new column may be numbered as no. 10 and the other serials may be renumbered accordingly.
30	666	105	Form of oath for recruits	A revised form has already been brought into use which is worded in Hindi. This may be incorporated in the Police Manual, Volume II in place of the existing Form (A sample of the revised Form enclosed).
31	665	106	Agreement form of Constable.	The words "and Orissa" wherever it occurs in the P. M. Volume II should be deleted. The present form, however, is correctly printed.
32	674	107	Appointment Certificate	"Rule 798(b)" printed at the foot of the form appears to be wrong. This should be "Rule 704(b)". Necessary corrections in the present form printed as well as in the P.M. Volume II may be done. The words "and Orissa" printed on the form in P.M. Volume II, may also be deleted.
33	791(e)	107(a)	Leave application form of non-gazetted officer.	There should be one more serial in the Form, i.e., Serial 7 in which "Leave address" should be printed. The present form should be printed in foolscap size.
34	796	109	Medical History Sheet ..	<p>Instructions printed on the foot-note on the present printed form and that given in the P.M. Form, Volume II differ. It is, therefore, necessary that the instruction printed in the P.M. Form in Volume II should accordingly be corrected according to the latest printed P.M. Form.</p> <p>To be really useful this form should be kept in the Reserve Office in pursuance of instructions which have now been printed in the recent form. This should be kept in the Service Book of the Officer concerned and should be sent to the Police Hospital whenever the Officer reported sick with a view to fill in the appropriate columns.</p>
35	769 & 1040	110	Medical Leave Card ..	The present size of the form is much too small and does not provide adequate space for writing out necessary details. It is recommended that the form should be double the present size and the paper should be of better quality.
36	812	111	Annual returns of officers reaching age of 55.	Column 6 which has been provided for recording recommendations of Magistrate or Deputy Commissioner may be deleted as this appears to be redundant. The corresponding P.M. Rule i.e. Rule 812 may be suitably amended.
37	813	112	Discharge Certificate ..	<p>The form does not mention "cause of discharge or dismissal". It would be better if in para. 2 "cause of discharge or dismissal" is printed.</p> <p>The words "and Orissa" printed in the P.M., Volume II may be deleted.</p>
38	815	113	Return of Pension and Gratuity Roll.	The present form should continue with one additional column between columns 2 and 3 with column heading "Nature of Pension". This new column may be numbered as Serial 3 and subsequent columns may be renumbered accordingly.

Serial no.	P. M. Rule.	P.M. Form.	Subject.	Suggestion.
1	2	3	4	5
39	824	114	Orderly Room Register	<p>The present form appears to be fairly comprehensive and should be retained with the following minor modifications. :-</p> <p>As orderly rooms were also held by Subdivisional Police Officers, column heading of Column 7 should be split up into numerator and denominator in the following manner:— S.D.P.O.'s Order/Recommendations.</p> <p><u>S.P.'s Order.</u></p> <p>In remarks column, i.e., Column 8 in the heading the following words should be printed "Previous rewards and punishments should be briefly noted here".</p> <p>Space provided in columns 4, 5 and 6 does not appear to be adequate and it is suggested that this may be increased by proportionately reducing columns 2 and 3.</p> <p>In column 2 after the defaulters "Number, Name and Rank" "Place of Posting" should be added.</p> <p>There is a practice to hear requests from constables and other ranks in the districts and B.M.P. units immediately after the orderly room. The Committee felt that a suitable register should be prescribed for this purpose so that records of requests disposed of may be maintained systematically. A register which may be called Request Register may be maintained in the following form—</p> <ol style="list-style-type: none"> (1) Serial No. and Date..... (2) Name, Number, Rank and Place of posting..... (3) Substance of Request..... (4) Report of the Reserve Officer..... (5) S.P.'s Orders (6) Action taken by the R.O. on the S.P.'s Orders. <p>While discussing this the Committee also considered the Police Sabhas or Debates which were being held in the districts. The Committee commended this practice and thought that a Register should be maintained to incorporate systematically the proceedings of these meetings. The register should be maintained in the following form :-</p> <ol style="list-style-type: none"> (1) Date of holding the Sabha. (2) Place. (3) Name of Superior Officer presiding over the Sabha. (4) Minutes of the proceedings. (5) Reference of Request Register in case of specific grievances. (6) Remarks.
40	853	116	Punishment Register ..	<p>The existing form of the Punishment Register was discussed and found to be adequate. There are indications in the Police Manual which make it necessary to maintain an index to the Punishment Register also. There is, however, no form prescribed for this index. It is now being maintained in rankwise volumes in which separate page is allotted for each Officer wherein the District Orders relating to punishments are recorded. A suitable form for this register should be adopted.</p> <p>In course of these discussions it came up that not infrequently unscrupulous manipulations were made in the Reserve Office and Reward D.Os. were not ENTERED in the service books. To maintain a check on this, it was thought necessary that a Reward Register similar to the punishment register should also be brought into use. This might be written in the following form :-</p> <ol style="list-style-type: none"> (1) Serial no. (2) District, Brass no., Rank, Grade and Name. (3) Good work done. (4) Description of Rewards. (5) Authority by whom awarded. (6) Remarks (number and date of D.O. to be given).

Serial no.	P. M. Rule.	P.M. Form.	Subject.	Suggestions.
1	2	3	4	5
				The same index which is maintained for the Punishment Register may be utilized as index to the Reward Register. The rewards should be written in a separate column in red ink. A sample form for this index is enclosed.
41	1015	122(i)	Stock and Store Register	<p>The main column heading "Issued or struck off" may be subdivided in the following manner :—</p> <ol style="list-style-type: none"> (1) Date of issue/struck off. (2) To whom issued. (3) Why struck off. (4) Quantity issued. (5) Quantity struck off. <p>After the column heading "To whom issued" another column should be added with the heading "Date and Receipt no. of the Receiving Officer". More space should be allotted for Columns 2 and 5. This can be done by printing the Register horizontally in a paper of Foolscap size instead of the present vertical form. These modifications would contribute to clarify and convenience.</p>
42	963	127	Reserve Officer's Return	This has been replaced by a manuscript form which is called "Force Memorandum", and this form may be adopted as P.M. Form. A sample form is enclosed.
43	1016	143	Report of death of Police Officers and Pensioners.	<p>This form was utilised in the past for reporting deaths of European Police Officers. But this should not be necessary any longer. While discussing this form the Committee further felt that it would be useful to adopt this form for reporting deaths of Police Officers in active service who were included in the Civil List. The form and the relevant P.M. Rule would require some modification in order to suit this purpose. In the P.M. Form the column headings may be revised as follows :—</p> <ol style="list-style-type: none"> (i) Name. (ii) Date of death. (iii) Place of death. (iv) Occupation at the time of death. (v) Age at the time of death. (vi) Cause of death. (vii) Length of service. (viii) Particulars as to family connections, etc. (ix) Remarks.
44	1034	143	Monthly Statement of Force.	<p>Appropriate columns should be provided in the statement to indicate the position in respect of D.P. and A.D.Ps. in Court.</p> <p>Since there is only the time scale now prevalent, senior scale and junior scale grade, and time scale may be deleted.</p> <p>Under the heading "Miscellaneous Duties" some extra columns appear necessary to denote the following :—</p> <ol style="list-style-type: none"> (a) Orderly staff. (b) Reserve office. (c) Crime Reader. (d) Traffic. (e) Enforcement Branch. (f) Cobbler Constable. (g) Tailor Constable. (h) Leave and Training Reserve, etc. <p>The heading Military Police and Pension statement at page 6 and proceedings statement at page 8, may now be deleted, as separate statements for these are now submitted to the I.-G's. Office and Range D.-Is.-G's. Office and Range D.I.G.s Office by the Ss. P.A. sample <i>pro forma</i> as stated above is enclosed.</p>

Serial no.	P. M. Rule.	P.M. Form.	Subject.	Suggestion.
1	2	3	4	5

There should be separate P.M. Form for the Force statements prepared by B.M.P. Units. Although there is no P.M. Form for this a separate form is being used for this purpose. This form may be incorporated in the Police Manual as P.M. Form no. 146(a) (Sample attached).

While discussing this the Committee felt that it might be useful for the I.-G. and D.I.-G. to get copies of parade statement of the Districts as the disposition of the Force stands on a particular date of the month. Although there is no P.M. Form for this purpose the parade statements are being obtained at present in a form which has been designed and circulated from the I.-G's. office. This may be adopted and incorporated in the Police Manual as P.M. Form no. 146(b) (Sample attached).

45 1038 149 Force Register

No change appears necessary except that the heading of P.M. Form no. 149 should be made "Disposition Register". Similar amendment to the relevant P.M. Rule 1038 is also indicated. There is a separate register known as Force Register for which there is no P.M. Form but is maintained under certain columns as given out in P.M. Rule 1039.

It is, therefore, suggested that this should be made a P.M. Form as this Register is an important one.

46 1041(e) 150 Landed Property

In column 2, "Annual Revenue" may now be substituted by the words "Annual Rent" which is paid for land possessed. Revenue used to be paid for the Zamindari owned which has now been abolished.

47 807 and 1047 154 Leave Register

It was felt that the information furnished in column 6 could be had from the Service Book of the applicant. It was, however, important to keep a record of the leave address in the register. The column heading, therefore, of column 6 should be changed to "Leave address". In column 4, after "where stationed" the words "and how long" should be printed. This information has some relevancy for taking decisions on leave applications.

48 1048 156 Casual Leave Register

The P. M. Form printed in P. M., Volume II is not in use and so this should be amended as follows :—

Name and rank of officers.	Order of officers granting the leave.	Availing Report.		Remarks (R/W, if any, issued should be noted here).
		De- parture.	Arrival.	
1	2	3	4	5

49 1049 157 Casualty Register

There should be a separate volume provided to note the page number of the Held-over Register to facilitate the Accountant to have a check from the Held-over Register as provided in P. M. Rule 1049 (C).

Serial. no.	P.M. Rule.	P.M. Form.	Subject.	Suggestions.
1	2	3	4	5
50	1064	159	Indent for Clothing	Sergeants-Major, Inspectors and Sub-Inspectors are now getting uniform allowances to get their uniforms made themselves. Only Sergeants and officiating Sergeants-Major have to indent for clothings. This, however, is being done locally and there is no centralized system of issue of clothing for this purpose. Therefore, this form has no utility and can be abolished.
51	1060, 1083, 1084 and 1067.	160, 161, and 162.	Register of Receipt and issue of Cloth issue form clothing Hand-Book.	These forms need revision as there are large number of vacant columns to be filled up each time. There are new items which are being issued at present. Besides there are a few columns the items of which have become obsolete. The column headings, therefore, have to be revised accordingly. It is further recommended that at the bottom of P.M. Form no. 160, which is meant for the clothing register the following words should be printed with appropriate spacing between them :— Signature of Quarter Master Sergeant. Signature of Sergeant-Major. Signature of Superintendent of Police.
52	1104	167	Register of Arms of the Reserve Office.	The present register may be printed in the enclosed <i>pro-forma</i> .
53	828	178	Appendix 19 Proceedings file.	There should be a page allotted for indexing in the proceedings file after the title page. Since character sheet is to be filled in by the Reserve Officer after the finding and before submission to the S. P. for orders, this page should be placed after the page of the finding. Order on appeal should be the last page of the file. In the chapter meant for character sheet the headings should be re-printed as follows :— (i) Date of enlistment. (ii) Present pay. (iii) Next increment with date. (iv) List of punishments and rewards shall be recorded from the Service Book and shall be certified to be correct by the Reserve Sergeant-Major. A Police Order has brought into use a Proceedings Register to be maintained in each Reserve Office. This has been found useful to maintain a watch on expeditious disposal of departmental enquiries and it should be incorporated in the Forms Vol. of the Police Manual.
54	App. 61	184	Statement 'D'	From the printed copies of the Annual Administration Report II, it appears that there have been a lot of changes in the column headings of this statement, though the P.M. form still remains unchanged. It requires necessary amendment according to the present printed form of the Annual Administration Report, Part II.
55	Ditto	182	Ditto	In view of creation of a separate prosecution cadre of Sr. D. P., D. P. and A. D. P., it appears necessary to insert these in the present form in the proper places.

(RULE 1104.)

[illegible]

N.B.—The number of every rifle and bayonet in the district shall be kept permanently on record in the register, 4 Police—42.

PARADE STATEMENT DATED OF DISTRICT.

Sergeant-Major. Sergeant. Jamadar.					Sanctioned.	Present.	How engaged.			
STRIKING RESERVE.										
—	Havildar.	Naik.	Constable.	.....	Havildar.	Naik.	Constable.	Date on which deputation commenced.	Remark of authority by which deputation ordered.
1	2	3	4	5	6	7	8	9	10	
Permanent sanction				Casual Leave	..					
Temporary sanction				Sick in barrack	..					
				Admitted in hospital						
Tear Gas				..	.....			
									
									
				On parade	..					
Total				..	Total					..
GUARDS.										
Permanent sanction				Casual leave	..					
Temporary sanction				Sick in barrack	..					
				Admitted in hospital						
									
									
				On parade	..					
Total				..	Total					
ESCORTS.										
Permanent sanction				Casual leave	..					
				Sick in barrack	..					
				Admitted in hospital						
Temporary sanction				.....					
									
									
				On parade	..					
Total				..	Total					..

M. T. SECTION.

	Havildar.	Naik.	Constable.	.....	Havildar.	Naik.	Constable.	Date on which deputation commenced.	Remark of authority by which deputation ordered.
1	2	3	4	5	6	7	8	9	10
Permanent sanction				Casual leave ..					
				Sick in barrack ..					
				Admitted in hospital					
Temporary sanction								
								
								
				On parade ..					
Total ..				Total ..					

LEAVE AND TRAINING RESERVE (D. A. P.).

Permanent sanction				Casual leave ..					
				Sick in barrack ..					
				Admitted in hospital					
Temporary sanction				.....				
								
								
				On parade ..					
Total ..				Total ..					

LEAVE AND TRAINING RESERVE (O. R.).

Permanent sanction				Casual leave ..					
				Sick in barrack ..					
				Admitted in hospital					
Temporary sanction				.....				
								
								
				On parade ..					
Total ..				Total ..					
GRAND TOTAL ..				GRAND TOTAL ..					
TOTAL ON PARADE				TOTAL ON PARADE					

Reserve Sergeant-Major.

District.....

Superintendent of Police.

District.....

MONTHLY STATEMENT OF FORCE.

B. M. P. as on (date) 19 ..

PERMANENT ESTABLISHMENT.

	Subedars.	Jamadars.	Havildars.	W. Naiks/ Naiks.	L. Naiks.	Sepoys.	Remarks.
1	2	3	4	5	6	7	8

Permanent sanction ..
 Temporary addition ..
 Temporary addition ..
 Balance

Details of posts.	Subedars.		Jamadars.		Havildars.		W. Naiks/ Naiks.		L. Naiks.		Sepoys.		Remarks, if any.
	S.	P.	S.	P.	S.	P.	S.	P.	S.	P.	S.	P.	
1	2	3	4	5	6	7	8	9	10	11	12	13	14

STRIKING COYS. (with class
composition, if any).

(A)
 (B)
 (C)
 (D)
 (E)
 (F)
 (G)
 (H)
 (I)



BATTALION H. Q.

Subedar-Major
 Reserve office staff ..
 Quarter Master staff ..
 Jam. Adjutant
 Wireless staff
 Armourer staff
 Tailor sepoy
 Cobbler sepoy
 Nursing orderlies
 Drivers
 Assistant drivers

Details of posts.	Subedars.		Jama'dars.		Havildars.		W. Naiks/ Naiks.		L. Naiks.		Sepoys.		Remarks, if any.
	S.	P.	S.	P.	S.	P.	S.	P.	S.	P.	S.	P.	
1	2	3	4	5	6	7	8	9	10	11	12	13	14
Band party (including L. and Tr.).													
Leave and Tr. Reserve ..													
Total													

DEFICIT.

Officiating as Sub.-Major—

Subedar—Jamadar—Havildar

W/Naik—Naik—L/Naik.

Vacancies

Sick

Suspended

Under Trg.

On deputation outside Unit ..

On deputation within Unit ..

On leave (including M. C.) ..

Total post kept in abeyance ..

Total



TEMPORARY FORCES.

Details of posts.	Subedars.		Jamadars.		Havildars.		W. Naiks/ Naiks.		L. Naiks.		Sepoys.		Remarks (quote the sanction order).
	S.	P.	S.	P.	S.	P.	S.	P.	S.	P.	S.	P.	
1	2	3	4	5	6	7	8	9	10	11	12	13	14



Total ..

DEFICIT.

Offg. in higher rank	..	..
Vacancies	..	..
Sick ..	..	..
Suspended	..	..
Under training	..	..
On leave	..	..
On deputation	..	..
Total	..	..

STATEMENT "A".

STATEMENT SHOWING MAN-DAYS ON DEPUTATION OF B. M. P. FOR THE MONTH OF 19 ,
OUT OF THE HEADQUARTERS.

Com- panys.	S.-M/ Sub.	Jamadar.	Havildar.	W. Naik/ Naik/ L. Naik.	Sepoys.	Total number of force.	Period.		Total number of days on deputa- tion.	Total number of man-days on depu- tation.	Place of depu- tation.
							From A. M./ P. M.	To A. M./ P. M.			
1	2	3	4	5	6	7	8	9	10	11	12

Total

STATEMENT "B".

STATEMENT SHOWING MAN-DAYS ON DEPUTATION OF B. M. P. FOR THE MONTH OF
..... AT THE HEADQUARTERS.

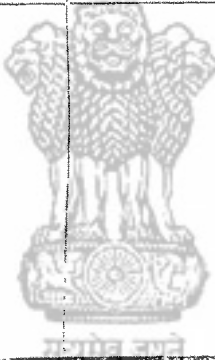
Com- panys.	S.-M/ Sub.	Jamadar.	Havildar.	W. Naik/ Naik/ L. Naik.	Sepoys.	Total number of force.	Period.		Total number of days on depu- tation.	Total number of man-days on depu- tation.	Place of depu- tation.
							From A. M./ P. M.	To A. M./ P. M.			
1	2	3	4	5	6	7	8	9	10	11	12

Total

OFFICERS AND MEN UNDER SUSPENSION.

Name, rank and number.	Date of suspension.	Cause of suspension.	Remarks (state progress of proceeding).

LIST OF OFFICERS AND MEN ON DEPUTATION.

Name, rank and number.	Place, period and object of deputation.
	

LIST OF OFFICERS AND MEN OFFICIATING IN HIGHER RANK.

Name, rank and number.	Vacancy in which officiating.

STATEMENT OF ARMS AND TRANSPORT.

Sanctioned.	Serviceable.	Unserviceable.	Deficit.	Remarks.
1	2	3	4	5
Muskets				
Rifles				
Rifles automatic—				
(a) Bren guns				
(b) Sten guns				
Guns—Tear Gas				
Revolvers				
Pistols				
.....				
.....				
.....				
Buses				
Station wagons (or car)				
Jeeps				
Pick-up vans				
Trucks (3 tons)				
Trucks (15 cwt.)				
.....				
.....				
.....				
Motor cycles				
Bicycles				

Reserve Officer.

Commandant.

Schedule XLVII-Form no. 211.
P. M. Form no. 146-Rule 1034.

MONTHLY STATEMENT OF FORCE

District—

As on (date)

19

Serial no.	Total sanctioned strength (Permanent).											
	Sr. D.P.	Dy. S.P.	Ins- pector.	D.Ps.	S.M.	A.D.P.	Sergeant.	S.-I.	Jamadar.	A.S -I.	Havildar.	Cons- table.
1	2	3	4	5	6	7	8	9	10	11	12	13

INSTRUCTIONS.

1. S—Sanctioned.
P—Present and fit for duty (to be written in red ink).
2. If an Assistant Sub-Inspector is officiating as Sub-Inspector in charge of a Police-station, this must be stated.
3. Officiating officers are to be shown in the column for the rank in which they are officiating. Thus an Assistant Sub-Inspector officiating as Sub-Inspector is to be shown in the column for the latter with a note "A. S.-I. officiating" in the remarks column. The same for constables officiating as Assistant Sub-Inspectors or Havildars.
4. In respect of courts (page 4) show officers and men for each court separately.
5. In respect of miscellaneous duties under "Miscellaneous" (page 4) explain such duties in Remarks column.
6. The totals in the columns for Sub-Inspectors, Assistant Sub-Inspectors, Havildars and Constables under the head "Defect" should tally with the details of deficit.
7. In respect of deputations (page 5) state the district and force from and to which deputed and whether armed or ordinary Police. In the remarks column state the object and period of deputation. The figures deputation under the head "Direct" (page 4) should show totals only.
8. This statement is to be written up on the first day of each month and copies sent to the Assistant to the Inspector-General and to the Range Deputy Inspector-General so as to reach them on the 3rd.

LEAVE STATEMENT.

Number of constables on leave.			Authorised number.	Number of application pending.*	Number of men granted leave but not availed.	Number of men on medical leave.
On average pay.	On half/ quarter average pay.	Total.				
1	2	3	4	5	6	7
District Armed Police.						
Ordinary Police						

*Applications for leave from a specified date in a subsequent month shall be excluded from column 5.

PERMANENT ESTABLISHMENT.

[illegible]

P. M. Form no.—146—contd.

[illegible]

[illegible][illegible]

P. M. Form no. 146—*contd.*

ARMS AND TRANSPORT.

	Sanctioned.	Serviceable.	Unserviceable.	Deficit.	Remarks.
1	2	3	4	5	6
Muskets					
Rifles					
Rifles					
Rifles automatic—					
(a) Bren guns					
(b) Sten guns					
Guns (tear gas)					
Revolvers					
Pistols flare					
Buses					
Station wagons (or cars)					
Jeeps					
Amphibious jeeps					
Trucks (3 tons)					
Trucks (15 cwt.)					
Motor cycles					
Cycles					

OFFICERS AND MEN UNDER SUSPENSION.

Name, rank and number.	Date of suspension.	Cause of suspension.	Nature and date of departmental action.	Remarks.
1	2	3	4	5

.....Sergeant-Major.

Dates on which S. P. attended.

Date on which Dy. S. P. attended.

..... Superintendent of Police.

Parade..... Reserve Office.

Parade..... Reserve Office.

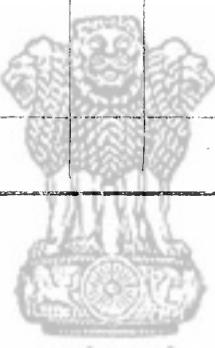
RANK.

Post.	GRADE.											
	D.L.H.	D.L.H.	D.L.H.	D.L.H.	D.L.H.	D.L.H.	D.L.H.	D.L.H.	D.L.H.	D.L.H.	D.L.H.	D.L.H.
1	2	3	4	5	6	7	8	9	10	11	12	13
TOTAL ..												
On leave ..												
Under suspension.												
H.O.												
On deputation												
Officiating in higher rank.												
TOTAL..												

Sanctioned strength—

Present strength—

Vacancies—

Signature
Designation.

 सत्यमेव जयते
 INDEX TO REWARD AND PUNISHMENT REGISTERS.

Name of officer

Rank

Force/Brass no.

Year.	D. O. no. of punishment.	D. O. no. of rewards.

मैं शपथ लेता हूँ/सत्य निष्ठा से प्रतिज्ञा करता हूँ कि मैं भारत के विधि के द्वारा स्थापित संविधान के प्रति श्रद्धा और सच्ची निष्ठा रखूंगा तथा मैं अपने पद के कर्तव्यों का राजभक्ति, ईमानदारी और निष्पक्षता से पालन करूंगा।

(अतः ईश्वर मेरी सहायता करें।)

मैं शपथ लेता हूँ/सत्य निष्ठा से प्रतिज्ञा करता हूँ कि मैं भारत और भारत के विधि द्वारा स्थापित संविधान के प्रति श्रद्धा और सच्ची निष्ठा रखूंगा तथा मैं अपने पद के कर्तव्यों का राजभक्ति, ईमानदारी और निष्पक्षता से पालन करूंगा।

(अतः ईश्वर मेरी सहायता करें।)

FORM OF ANNUAL CONFIDENTIAL REPORT.

(Gazetted Officer)

1. Name and rank of Officer— Shri

District/Unit C. I. D., S. B./C. B./A. D.

2. Period to which report relates to

3. Post held from to

4. Character—

(a) Moral character

(b) Dependability

(c) Integrity

Health and capacity for arduous work

5. Relations with—

(a) Superiors and subordinates

(b) Magistracy and other officers

(c) Members of the public

6. Leadership—

(a) Personality

(b) Judgment and initiative

(c) Sense of responsibility

(d) Man management

7. Special responsibilities—

(a) Parade and drill

(b) Welfare activities

(c) Crime control

(d) Control of office

8. Grading applicable—

(a) Outstanding

(b) Good

(c) Average

(d) Below average

9. Any other special remarks

Remarks of the Superior Officer

SIGNATURE OF REPORTING OFFICER.
(Name in block capitals).SIGNATURE OF SUPERIOR OFFICER.
(Name in block capitals)

PART II.

INSTRUCTIONS:

- (a) No specific mention is necessary that opinions are based on personal experience as this is normally presumed. If, however, any remark is not based on personal experience, the reporting officer should mention whether it is based on an estimate made by any other officer or anything noticed while inspecting an officer's work after his transfer, as the case may be.
- (b) Officers who have held charge of a post for more than 6 months should, while going on long leave or transfer, leave for their successors reports in the above form on all officers employed under them; the succeeding officer should incorporate in his annual report the same with his own opinion on each officer.
- (c) Ordinarily, remarks should not be recorded on an officer who has served under the reporting officer for less than 4 months. Report for a particular year should not be based on the work of the officer reported upon in some previous year or an opinion gathered while either the reporting officer, or the officer reported upon was working elsewhere.
- (d) It is as important for an officer reported upon, as for the reporting authorities, that both the qualities and defects of each officer reported upon are recognised and recorded in due proportion. If the reporting officer has not been able to form a definite opinion on any of the specified points, he should not hesitate to refrain from comment.

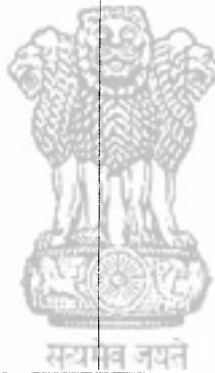
COLUMN 1	..	..	The rank, officiating or substantive, held by the officer reported upon, during the year under review should be mentioned.
COLUMN 2	..	..	In case the officer concerned held more than one post in the year concerned, details of all posts held should be mentioned with dates.
COLUMN 3	..	..	<ul style="list-style-type: none"> (a) Details should be given if any adverse comment is made regarding such aspects of personal conduct as are considered undesirable, e.g. drunkenness. (b) It should be clearly mentioned whether an officer is trustworthy, keeps confidence, and is loyal to his superiors as well as subordinates. (c) Any adverse comment regarding lack of integrity or positive corruption should, if possible, be supplemented by specific instances, proved or suspected.
COLUMN 4	..	..	Physical fitness is essential for a Police officer and while indifferent health is seldom the fault of the officer, its presence in particular cases should be clearly known to the authorities. Capacity for arduous work should include also willingness to do such work.
COLUMN 5	..	..	<ul style="list-style-type: none"> (a) Regarding superiors, any absence of proper discipline and decorum should be noted; regarding subordinates, any absence of usual politeness and consideration should be noted. It should be indicated whether an officer exercises good control over his subordinates, or is too soft, whether he enforces discipline merely by severity or also by setting a high example himself and by qualities of leadership, and whether he is strictly impartial and free from favouritism. (b) This is particularly important for officer-in-charge of districts or subdivisions. (c) Tact and politeness in relations with members of public should be noted. If an officer attempts to gain popularity by sacrificing his independence of judgment, this should be mentioned.
COLUMN 6	..	..	This should cover such points as promptness and method in disposal of work, display of initiative, the soundness of his decisions whether he works well without supervision, etc.
COLUMN 7	..	..	While all the sub-clauses applies more or less to all officers (a) and (b) are particularly important for officers in Military Police Units while (c) and (d) are more important for officers employed in the districts.
COLUMN 8	..	..	This should be an assessment on a general estimate of the character and conduct of the officer reported on which should take into account all the points considered in items 4 to 7.
COLUMN 9	..	..	This is for amplification of any remarks made in the preceding columns, or mention of any points not covered therein. The assessment of an officer as a whole should be confined to column 8.

Schedule XLVII—Form No. 238.

P. M. Form No. 8.

MONTHLY RETURN OF INSPECTIONS BY INSPECTORS.
(RULE 72.)

Names of P.-S., Out- Post and Courts.							Remarks.
Date of inspection dur- ing the month.							
How long halted . .							
Date of previous ins- pection.							



Dated, the.....19 .

Inspector.

STATEMENT OF CASES REPORTED AND SUPERVISED.

Case reference with sections and dates.	Dates on which F. I. R. reached Inspector's Office.	Date of supervision.	Remarks.

Schedule XLVII—Form No. 238.

REVERSE.

SUMMARY OF WORK DONE BY INSPECTOR DURING THE MONTH.

Number, date and section of Criminal cases personally investigated.	Number of explosive and ammunition shops inspected with dates.	Number of complete investigations, refused enquiries and reports under sections 107, 109, 110 and 145, Cr. P.C. locally tested.	Names of villages visited and purpose of visit (e.g., checking, suppression of crime checking, enquiry reports regarding surveillance, etc.).	Dates and hours of surprise visits to pickets and patrols (indicate no. of defaulters detected).	Particulars of vehicle checked.	Number of Chaukidari parades attended with names of P.-S. and date.	Number of days spent on tour, number of night halts (specify places and dates).	Summary of miscellaneous work done.
No. of cases reported during the month.								

INSTRUCTIONS.

- (i) When inspection has been less frequent than it should be, an explanation shall be given.
(ii) In column 3 the total number of cases is to be shown against each section separately.
(iii) Any day in which less than 6 hours have been spent away from headquarters is not to be shown as a day on tour in column 8.

Schedule XLVII—Form No. 114.

P. M. Form No. 15 (Rule 116).

STATION DIARY BOOK.

Date.					
	Particulars.				
	Inspectors.	Sub-Inspectors.	A.S.-I.	Havildar.	Constables in order of their watches.
1	2	3	4	5	6
Present and engaged in their duties at Police-station at					
Absent on duty in the mufassil					
Absent with and without leave					
Sick at station					

INSTRUCTIONS.

- (1) The above information must show the state of the force at the hour the diary opens.
(2) At the close of the diary, write (a) cash in hand, (b) service stamps available and (c) number of accused in Hazat.

Entry no.	Date and hour.	Nature of entry.	Details.	Reference.
1	2	3	4	5

Schedule XLVII—Form No. 24.

P. M. Form No. 141.

SPECIAL REPORT REGISTER.
(RULE 1011.)

Sl. no of Special Report.	Name of P.-S and no. of first info- mation.	Name of complainant or inform- ant.	Accused.	Offence with section.	Date of occurrence.	Date of Special Report.				
						Ist.	2nd.	3rd.	4th.	Final.
1	2	3	4	5	6	7	8	9	10	11

Amount of property.		Description of final form with section and date.			S.D.O.'s orders in the F.R. and the result of trial.	Rank of Supervising Officer.	Date or dates of re- cording of evidence u/s. 512, Cr. P.C., if any.	Remarks.
Stolen.	Recovered.	True.	False.	C.S.				
12	13	14	15	16	17	18	19	20

G.R. Reference:

P.-S. Case reference:—
Schedule XLVII, Form 79.
P.M. Form no. 90.

G.F.P.B., D.C. Reference.....

State Bureau, D.C. Reference.....

FINGER PRINT SLIP.

(Vide RULE 442.)

IDENTIFIED.
UNIDENTIFIED.

Name of Jail.

Jail Admission no.

Male

Female

Name in full with *alias*:Father's/husband's name with *alias*:

Caste

Religion

Village

Police-station

District

State

Apparent age on

Classification no.

RIGHT HAND.

Right thumb.	Right index.	Right middle.	Right ring.	Right little.
1	2	3	4	5

Fold.

Fold.

LEFT HAND.

Left thumb.	Left index.	Left middle.	Left ring.	Left little.
1	2	3	4	5

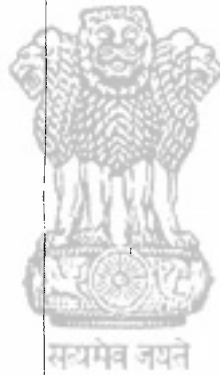
Fold.

Fold.

Left Hand.	Plain impressions of thumb.		Right Hand.
Plain prints of the four fingers taken simultaneously.	Left.	Right.	Plain prints of the four fingers taken simultaneously.
	2	3	
1	2	3	4

CONVICTIONS.

No.	District.	Court.	Date.	Session.	Term.	Police Officer to identify.
1	2	3	4	5	6	7
1st ..						
2nd ..						
3rd ..						
4th ..						
5th ..						
6th ..						
7th ..						
8th ..						
9th ..						
10th ..						
11th ..						
12th ..						
13th ..						
14th ..						
15th ..						
16th ..						
17th ..						
18th ..						
19th ..						
20th ..						
21st ..						
22nd ..						



1. Certified that the convictions noted on this finger print slip have been recorded from the Magistrate's general register of cases and the conviction register, and that they are correct in all particulars.

2. Certified that the convictions noted on this finger print slip have been verified from the jail admission warrant of incarceration and the history ticket of the prisoner.

Name in full and rank of the officer preparing the slip. Name in full and rank of the officer testing the slips.

Impressions taken by ..	..	..	Rank ..	..	District ..	..
Tested by ..	..	..	Rank ..	..	District ..	..
Place ..	..	..	Date ..	..	..	..
Classified at Bureau ..	..	..	Rank ..	..	Date ..	..
Tested at Bureau ..	..	..	Rank ..	..	Date ..	..
Indented at Bureau ..	..	..	Rank ..	..	Date ..	..
Recorded at Bureau ..	..	..	Rank ..	..	Date ..	..

JUVENILE DELINQUENCY REGISTER FOR THE YEAR.....OF POLICE-STATION.....DISTRICT.....

[illegible][illegible]

Schedule XLVII—Form no. 70.

P.M. Form No. 58 (Rule 316)

Final memo.

Police-station.....

F.I.R. no.

Dated

Sec.

P. Stolen.

F.T. no.

Dated

Sec.

P. Recoverd.

Complaint

Accused, suspects, absconders to be differentiated by ac. s. ab.	Age.	Physical feature.	Name(s) of identifying officer(s).	Residence verified if traced by F.P. or if residence note the fact below.*		
				Village.	P.-S.	District.
1	2	3	4	5	6	7

Magistrate's orders regarding (a) Sentence, section and date†
 (b) Discharge of sureties, bail and recognizance.
 (c) Property taken possession of by the Police.
 (d) Absconders.
 (e) Conduct of Police.††

Court Officer's remarks Previous conviction, place crime, sentence, date and residence including village Police-station and district. Have F.Ps. been taken?

Circle Inspector's remarks.

Superintendent's order regarding (a) Surveillance.
 (b) Dossier.
 (c) Entry of convict's and suspect's names in Crime Directory.

Action by o/c Police-station. Classification and serial no. of entry in Crime Directory, Part II.

* Persons will be described as "traced" or "untraced" according as they are traced or not by the Finger Print Bureau, "identified" or "unidentified" according as their residence has been verified or not, e.g.

Untraced

Unidentified

traced

identified, etc., etc.

† If acquitted or discharged, attach a copy of judgment.

†† Attach a copy of remarks.

P.M. Form No. 53.

Name of Prosecuting Officer.....

[illegible]

*In column 15, the prosecuting officer should invariably note any complaints made to him by witnesses, regarding non-payment. Superior officers may record their comments.

Schedule XLVII—Form No. 148.

P.M. Rule 48(d).

P.M. Form No. 210,

SUPERVISION NOTE IN.....P.-S. CASE NO.
UNDER SECTION.....

DATED.....

1. Place of occurrence
2. Distance and direction from P. S.
3. Date(s) and hour(s) of
 - (a) Occurrence.
 - (b) F.I.R.
 - (c) Arrival of I.O. on spot.
 - (d) Supervision (on spot).
4. Name and rank of I.O.
5. Name and rank of Supervising Officer.

INSTRUCTIONS.

The Supervision Note itself should be written on the reverse and on separate sheets of paper under the following headings as concisely as possible..

- (1) Facts given in the F.I.R. very briefly.
- (2) Scene of occurrence and *modus operandi*

(only the special features are to be indicated and any omissions by the Investigating Officer pointed out).

- (3) Prosecution evidence.
- (4) Defence evidence.

NOTE.—Under items 3 and 4, the statements of particular witnesses are not usually to be reproduced by the substance of the evidence given. The degree of reliability of oral testimony is to be indicated by reference to any discrepancies in the statements or relationship between witnesses. Information from Police Station records is also to be noted, where necessary).

- (5) Special note on searches

(all searches are to be specified with dates and commented upon, if necessary).

- (6) Special note on accused and suspects in the following form :—

Name of accused and suspects with particulars of residence. Give age within brackets after name.	Criminal antecedents.	Arrested or not (date of arrest).	Brief reasons for arrest.	On bail or in custody.	If absconding action taken for apprehension.	Remarks.
1	2	3	4	5	6	7

7. Deductions (Pay careful attention to *modus operandi* and local incidence of similar crime. Consider alternative theories).

8. Defects, if any in the prosecution case and in the investigation. [See P.M. Rule 48(c) Defects in investigation of a minor and technical nature should be corrected forthwith by the Supervising Officer and need not be noted under this heading.]

9. Instructions to I.O. (These must be specific and not vague).

10. Any other important matter.

INTIMATION SLIP UNDER SECTION 157(b), Cr.P.C.

You,.....are hereby informed that the investigation of your case of.....the report of which has been received by the undersigned this day, has been refused under-section 157(b), Cr. P.C.

Signature of Officer-in-charge

Date.....

P.S.

ACKNOWLEDGMENT RECEIPT OF INTIMATED SLIP UNDER SECTION 157(b), Cr. P.C.

I,.....acknowledge receipt of the intimation slip regarding refusal of my case of....., dated.....

Place.....

Signature of informant.

Date.....

P.M. No. 75.

CRIME DIRECTORY PART II.

Classification and Sub-classification.

(RULE 357.)

Cases.	Convicted 0 Discharged or acquitted 1 Suspected S Absconded 1.		Residence and Former Residence, if any.	If convicted.	Release.	Relative and Associates of convicts and abscon- ders.	If suspected.	Reference to—								
Union, name, section, hour of occurrence, Village, Police-Station, District.	Union in which crime occurred.	Brief history of cases.	Name, Caste, Parentage, Date of Birth.	Descriptive roll, occupation and education.	Village, P.S. and District.	Union/T.O.P.	Sentence, Section, Date, Court.	Date and Jail of release.	Name, relationship, occupation.	Village and Union of Mohalla, Police-Station, District.	Reasons of suspicion and names and addresses of persons who suspect him.	P.S., Index of crime.	M.O. Index.	Alphabetical Index.	Foreign C.D.	Dossier No.
1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17

- NOTE.—(1) All entries or series of entries in this register shall be initialled and dated by the officer making them. Except as provided below all entries shall be in black ink.
- (2) Entries in columns 1, 2 and 3 relating to cases occurring in other police-stations and entries in columns 4—17 relating to persons residing in other police-stations shall be made in red ink.
- (3) Descriptive-rolls shall be concise and shall give only such particulars as are likely to facilitate identity. The instruction in Appendix 6 shall be followed.

Schedule XLVII—Form No. 171.

P. M. Form No. 42-A.

IDENTIFICATION OF SUSPICIOUS ARTICLES.

(TO BE FILLED IN BY THE CONDUCTING OFFICER.)

NOTE.—Whenever it is necessary to submit any article suspected of having been concerned of any offence for identification, particular care should be taken, pending the arrival of the identifying witnesses to keep the article in some place where they cannot have access to it. On their arrival the article should be mixed up with 8 or 10 similar articles and of the same shape and size and the identification carried out, whenever possible, in the presence of a Magistrate or Sub-Registrar; or if no such officer is available, in the presence of two or more respectable persons unconnected with the case, who should be asked to satisfy themselves that the identification has been conducted under conditions precluding the possibility of collusion. Care must be taken that the identification by each witnesses is done out of sight and hearing of the other identifying witnesses.

Date of conducting the identification Place where the identification was held

Brief statement of the alleged facts of the case in connection with which the identification parade is being held, to be explained to each witnesses by the officer holding the parade.	Name of identifying witnesses with note as to which suspicious articles were identified by each witness.	Name of the suspicious article.	Place where the suspicious article was kept before it was brought out for identification.	Description of the manner in which the identification was effected.	Names of witnesses in whose presence the identification was made with their signature.	In what connection identified, e. g., as a stolen article, etc. (No detailed statement is to be recorded by the officer holding the parade but merely the briefest note).
1	2	3	4	5	6	7

I hereby certify—

- (1) that the facts of the case in connection with which the identification parade was held were explained by me to each witness.
- (2) that the identification by each witness was done out of sight and hearing of the other identifying witnesses.
- (3) that the identification was conducted under such conditions as to preclude the possibility of collusion.
- (4) that correct suspicious article was put on T. I. Parade.

Officer conducting the identification parade

POST-MORTEM REPORT.

Schedule XLVII—Form No. 60.
P. M. Form No. 40.

I A.
STATION.

Dated.....19

P.S..... Case reference.....

[illegible]

I.—EXTERNAL APPEARANCES.

1—Condition of subject—stout, emaciated, decomposed etc.	2—Wounds position, size, character.	3—Bruises—position, size, nature.	4—Mark of ligature on neck, dissections, etc.
1	2	3	4

II.—CRANIUM AND SPINAL CANAL.

1—Scalp, skull, and vertebrae.	2—Membrance.	3—Brain and spinal cord.
1	2	3

NOTE.—The spinal canal need not be examined unless any indication of disease or injury exists.

III.—THORAX.

Walls, ribs and cartilages.	Pleura.	Larynx and trachea.	Right lung.	Left lung.	Heart.	Large vessels.	Pericardium.
1	2	3	4	5	6	7	8

IV.—ABDOMEN.

Walls.	Peritoneum.	Mouth, pharynx and œsophagus.	Stomach and its contents.	Small intes- tine and its contents.	Large intes- tine and its contents.	Liver.	Spleen.	Kidneys.	Blad- der.	Organs of Generation external and internal.
1	2	3	4	5	6	7	8	9	10	11

1. Medical officer's deductions as to the probable time of last meal from the contents of the stomach.

V.—MUSCLES AND BONES.

1.—Injury.	2.—Disease of deformity.	3.—Fracture.	4.—Dislocation.

VI.—MORE DETAILED DESCRIPTION OF INJURY OR DISEASE.

VII.—SUBSTANCE OF ACCOMPANYING REPORTS FROM POLICE OFFICER OR MAGISTRATE.

Description of injury (Nature of position, direction, etc. to be indicated).	Whether anti- mortem or post-mortem ?	Nature of probable weapons used.	

VIII.—OPINION OF CIVIL ASSISTANT SURGEON AS TO CAUSE AND APPROPRIATE TIME OF DEATH.

IX.—REMARKS BY CIVIL SURGEON.

Dated..... Signed.....
Civil Assistant Surgeon.....

Dated..... Signed.....
Civil Surgeon of.....

Schedule XLVII—Form No. 170.

Schedule XLVII—Form No. 170.

P. M. Form No. 29.

P. M. Form No. 29.

Chalan sheet of case under section 34, Act V of 1861, sent up to court on.....

District

District

Police-Station

Police-Station

Report under section

Report under section

For magistrates's records :

Serials 1, 2, and 3 to be filled up at the police-station and sent to the court officer who will complete the entries and return the form to the Police-Station.

1. Serial no.

1. Serial no.

2. Time and place of occurrence.

2. Name and address of prosecutor.

3. Time of report to police-station.

3. Name and address of accused.

4. Offence and section.

4. Date of disposal.

5. Name and address of prosecutor.

5. Magistrate's orders.

6. Name and address of accused.

(Age).

7. If accused is not sent up in custody whether bail bond or recognizance bond is attached.

8. Name and address of witnesses.

9. Remarks by officer-in-charge.

Schedule XLVII—Form No. 70.

P. M. Form No. 29.



Chalan sheet of case under section 34, Act V of 1861 sent up to court on.....

District.

Police-Station.

Report under section.

To be retained at the Police-Station.

1. Serial no.

2. Time and place of occurrence.

3. Time of report to police-station.

4. Offence and section.

5. Name and address of prosecutor.

6. If accused is not sent up in custody whether bail bond or recognizance bond is attached.

7. Name and address of witnesses.

8. Remarks by officer-in-charge.

MONTH

CRIME INDEX OF THE POLICE-STATION.

YEAR.

Case no.	Place of occurrence, distance from P.S. date and hour of occurrence and information reaching Police.	Date and hour of arrival of Police on the spot.	Name of complainant or informant.	Age of the complainant or informant.	Name of the accused.	Age of the accused.	Crime with section of Act, nature of property stolen and modus operandi.	Name and Serial no. of entry in Malkhana Register.	Date and form of final form and names of persons sent up and absconding.
1	2	3	4	5	6	7	8	9	10

C. D. reference.	Reference of Absconder's Register.	Amount of property stolen.	Name and rank of Police Officer conducting the enquiry.	Amount of property recovered.	Subdivisional C. R. no.	Final order of Magistrate.	Surveillance and P. R. orders and Dossier no.	Due date of destruction of record and signature of officer destroying it.	Remarks.
11	12	13	14	15	16	17	18	19	20

APPENDIX XVI.

QUESTIONNAIRE.

PART I

TERM OF REFERENCE 1:—ORGANISATION, STRENGTH, POWERS AND DUTIES.

A. Strength and structure of the force.

1. The organisational set-up, as mentioned in Appendix II, is based on the Indian Police Act (Act V of 1861) and on the recommendations of the Police Commission of 1902. Considering the present task of Police in bulk and complexity, do you consider that the force requires reorganisation?

2. All the units of an efficient and effective police force should be so integrated and co-ordinated that unity of control at all levels, adequate supervision of actual execution of work and fixation of responsibility are ensured. Do you think that the present organisation of the State Police Force comes up to this standard? What are your suggestions?

3. The existing strength of the force is indicated in Appendix III. Do you think that the Bihar Police suffers from any deficiency in this respect, particularly in view of increase in population, expansion in social activities and branches of public administration and rapid industrialisation? Keeping the financial implications in view, do you recommend any expansion or contraction in any branch of the force, armed or unarmed, technical or non-technical?

4. The expenditure over the Police Force in Bihar as against total expenditure on revenue account since 1948-49 is shown in Appendix IV. Do you consider that in view of the changed circumstances, the expenditure in relation to population, area and complexities of administration is reasonable, inadequate or excessive?

(i) UNARMED POLICE (NON-TECHNICAL).

5. What do you think should be the criteria on which the territorial jurisdiction of a Police Station (urban and rural), a circle (urban and rural), a subdivision, a district and a range ought to be determined? In what degree should any or all of the following determine it?

- (a) Territorial extent and its terrain;
- (b) Population, its density and socio-economic characteristics;
- (c) Volume and complexity of police work in terms of police duties, crimes, criminals and other connected problems.

6. Is it your view that the jurisdictions of Police-Stations, Circles, Subdivisions and Districts should be co-terminus with the jurisdictions of the present revenue Anchals, Subdivisions and Districts?

7. Do you consider the charge of a Superintendent of Police in some districts to be too large for efficient Police administration? If so, pending decision on the bigger question of splitting up of districts, what interim measures would you suggest to make the responsibilities of the Superintendent of Police more efficiently manageable?

Police-Station.—

8. The Indian Police Commission of 1902 recommended that there should be one Sub-Insp cto, incharge of every Police-Station, "and if the number of investigations

ordinarily exceeds 100 per annum there will be an additional Sub-Inspector for each 100 in excess" (Para. 194 of the Report). Should this yardstick be revised, particularly in view of the very substantial addition in the variety of police work, such as verification of antecedents of foreigners and others, enquiry regarding issue of pass-ports, enquiry into cases under the Motor Vehicles Act which are non-cognizable, enquiry into miscellaneous petitions, collection of materials for answering interpellations in the Legislature, etc.?

9. The Station Officer, incharge of a Police-Station, has multifarious duties to perform. He is responsible for the effective working and management of the police personnel subordinate to him; for the preservation of peace and for prevention, detection and investigation of crime. Do you think that he is able to discharge all these functions efficiently and effectively?

10. Do you think that the efficiency of work at the level of the Police-Station will be increased if the duties connected with law and order and internal administration at the Police-Station are separated from the duties connected with investigation of crime so that one officer is posted for investigation work only? If you are in favour of separation, what should be the method adopted to co-ordinate the work of the two branches?

11. Where there are two or more police officers in a Police-Station engaged in investigation and law and order duties, should all of them be of the same rank, or, do you consider that the Station Officer should hold a superior rank? If so, what should it be?

12. In the reorganisation districts of Patna, Bhagalpur and Saharsa, the officer-in-charge is of the rank of Inspector of Police and the officer-in-charge of a Police Circle is of the rank of Assistant or Deputy Superintendent of Police, the posts of Subdivisional Police Officers having been kept in abeyance. Are you in favour of this scheme and its extension to other districts? Please state the reasons in support of your views.

Town Out-post.—

13. At present the ratio of a policeman in a town outpost to urban population for the purposes of patrolling, surveillance and generally for the prevention of crime is 1 : 766. Do you consider that this ratio is adequate? If not, what should be the basis to determine the yardstick of the strength of a town outpost?

14. A town outpost is incharge of a Havildar. Do you consider that in view of his powers and duties the rank of the officer-in-charge of an outpost should be raised? If so, what should be his rank?

Traffic Police.—

15. Are you in favour of a separate cadre of Traffic Police? If so, what should be its organisation and the qualifications and pattern of training of its personnel?

16. What should be the basis to determine the strength of the Traffic Police in a town? Do you recommend more increasing use of mechanical devices?

Women Police.—

17. Are you in favour of retaining the cadre of the Women Police? Should this be a separate cadre, controlled by its own officers, or should it be dispersed through

the District Executive Force? What do you think should be the duties, strength, composition and designations of the various ranks?

City Police.—

18. Are you in favour of a separate cadre of police in cities with a population of over one lakh, and should the rural areas be excluded from the jurisdiction of the City Police-Stations? Please give reasons for your answer.

19. If you are in favour of a separate City Police organisation, what should be its set-up? Should it generally follow the pattern of the Police in the presidency towns of Calcutta, Madras and Bombay? If not, what alternative suggestions have you to offer?

Prosecution Cadre.—

20. Till 1940, the prosecution work in magistrates' courts was done entirely by serving Police Sub-Inspectors and Inspectors, designated as Court Sub-Inspectors and Prosecuting Inspectors respectively, and these posts were interchangeable with the posts in the general line. In 1946, an experiment was tried to appoint lawyers as Assistant Public Prosecutors in order to replace the Court Sub-Inspectors and Prosecuting Inspectors. This system was changed in 1952 and a special cadre of Police Prosecutors has been created in three ranks (Senior District Prosecutor, District Prosecutor and Assistant District Prosecutor). They are lawyers, trained both in Police and prosecution work. Do you consider that this system is working satisfactorily?

21. Have you any suggestion to make with regard to the maintenance of the various registers kept in the Police Court offices? Who should, in your opinion, be entrusted with the "P.R." (Police Registered) work?

22. The seniormost rank in this cadre is of the Senior District Prosecutor, equivalent to a Deputy Superintendent of Police. He acts as Director of Prosecution for the district and assists the Superintendent of Police generally in prosecution work. Do you think this system is working satisfactorily?

23. In view of separation of the Executive and the judiciary, do you suggest any change in the system and control of prosecutions?

24. Police Prosecutors appear in courts in police uniform. Do you think that they should appear in gowns?

25. Should members of this cadre be allowed to conduct cases in the courts of Sessions? If so, under what conditions?

Government Railway Police.—

26. The jurisdictions of Government Railway Police-Stations in some cases and of Circles extend beyond the jurisdiction of one revenue district. Do you consider any redelineation of the jurisdictions necessary or the purposes of administration and crime control?

27. The Government Railway Police, which has its own Superintendent, is handicapped in investigating cases which have ramifications outside the railway jurisdiction. Is the handicap, in your opinion, serious? If so, what reorganisation would you

suggest in the method of control and co-operation between the Railway Police and the District Police ?

28. The Central Range Deputy Inspector-General and the Northern Range Deputy Inspector-General are the two administrative officers, controlling the two Government Railway Police Districts respectively, the areas of which extend into the jurisdictions of other two Range Deputy Inspectors-General. Formerly, the Deputy Inspector-General, Criminal Investigation Department was designated Deputy Inspector-General, Crime and Railways, and held charge of the Railway Districts. In view of the increasing work load of the Deputy Inspector-General, Criminal Investigation Department, he was relieved of the charge of the Railway Police Districts. Are you in favour of restoration of the system of unified control as recommended by the Police Commission of 1902 ? If not, what measures would you suggest to promote better co-ordination between the two controlling Deputy Inspectors-General as at present on the one hand and on the other (a) the Railway authorities and the Government of India and (b) the other two Range Deputy Inspectors-General ?

29. The Government Railway Police consists of police officers and the posts are interchangeable with those in the districts. In view of certain technical investigations that have to be done by the Government Railway Police personnel, do you consider it necessary to have a separate cadre of Government Railway Police ?

(ii) UNARMED POLICE (TECHNICAL).

Criminal Investigation Department.—

30. Under the rules, the important functions of the Criminal Investigation Department are, (i) to collect and distribute information about crime and criminals, and, (ii) to control, advise and assist the District Police in enquiries and investigations relating to organised crime of professional nature. Do you consider it necessary to redefine the functions of the Criminal Investigation Department ? If so, what are your suggestions ?

31. Do you consider any change necessary in the present organisational set-up (technical or non-technical) as indicated in Appendix II ? If so, what changes do you suggest ?

32. If the Investigating Police is to be separated from the Order Police at the Police-Stations, should the technical and disciplinary control over the Investigating Police rest in the District Executive Force or in the Criminal Investigation Department ? The implications of your suggestion on the pattern of control and supervision in the general police administration may also be indicated.

33. A special wing under a Superintendent of Police has been recently established in the Criminal Investigation Department on a temporary basis to deal with the problems of dacoity. Would you advise its retention ?

34. For dealing with organised crimes with wide ramifications and for co-ordination of investigations connected with such crimes, a Criminal Investigation Department under a Deputy Inspector-General was set-up in every province on the recommendations of the Indian Police Commission of 1902. The Deputy Inspector-General, Criminal Investigation Department is to co-ordinate the work of Range Deputy Inspectors-General connected with prevention and detection of organised crime and of the District Superintendents of Police working under Range Deputy Inspectors-General. How can, in your opinion, the co-ordination of work among officers of

comparable status be made? Would it be advisable or not to upgrade the status of Deputy Inspector-General, Criminal Investigation Department?

35. Do you think that a miniature Crime Bureau, on the pattern of the Criminal Intelligence Bureau of the State Criminal Investigation Department, will be useful both in a range and a district to deal with professional crime? If your answer is in the affirmative, what should be its composition, set-up and functions and should the old vernacular office of the Superintendent of Police merge in the District Crime Bureau, as temporarily organised at present? Should these Bureaux be controlled by the Deputy Inspector-General, Criminal Investigation Department, or the Range Deputy Inspector-General, or both?

Wireless.—

36. What should be the pattern of organisation of the Bihar Police Radio Grid which at present covers district and subdivisional headquarters? The officer-in-charge of the radio grid is an Assistant to the Inspector-General of Police who has to take charge of this organisation in addition to his own duties in the office of the Inspector-General. The strength of the force consists of one Deputy Superintendent of Police, two Inspectors, nine Sub-Inspectors, 91 Assistant Sub-inspectors and 186 Illiterate Constables constituting a closed cadre. What should be, in your opinion, the set-up? Following the pattern of other States, do you recommend that this organisation should be placed in charge of its own Superintendent of Police?

37. If the wireless personnel are to be Policemen, should they be drawn from the general line of the Police or recruited separately as technicians and trained both as policemen and wireless personnel?

Fire Service.—

38. The Fire Service in this State is under the control of the Inspector-General of Police and consists of the State Fire Officer of the rank of Deputy Superintendent of Police, five Fire-Station Officers equivalent in rank to that of Sub-Inspector of Police and 112 Firemen of the rank of constable. There are five units each located at Patna, Gaya, Jamshedpur, Bhagalpur and Muzaffarpur. Do you consider it necessary to enlarge the force in order to cover some other stations or districts?

39. In Great Britain and in some other parts of India, the Fire Service is a municipalised force. Do you think that the State control over this service should continue?

Motor Transport.—

40. The strength and distribution of vehicles is indicated in Appendix V. One of the Assistants to the Inspector-General of Police, in addition to his own duties, is in charge of the motor transport of the State and controls the fleet of vehicles at the Police headquarters. He is assisted at the State headquarters by one Sergeant, one Sub-Inspector and a few head-drivers and mechanics. Are you in favour of setting up a State Motor Transport Section as in the Army? What should be the composition, duties and functions of this section? Are you in favour of a separate cadre of mechanics, drivers and cleaners?

41. What improvements in the facilities for repairs and maintenance of motor transport would you suggest?

42. The motor transport is mainly meant to convey armed policemen in an emergency. Do you consider it necessary to provide motor transport for facility of quick investigation and efficient law and order duties at police-stations?

43. What should be the basis for allocating motor transport for work in each district and unit and what types of vehicles would you suggest for use in the police?

Dog Squad.—

44. There is a small nucleus of a dog squad at Patna. Are you in favour of enlarging the organisation in order to serve other areas in the State?

(iii) ARMED POLICE.

45. On what basis should the strength of the District Armed Police be determined? At present, the District Armed Police is being frequently reinforced by the Bihar Military Police. Are you in favour of the continuance of the present system?

46. Do you consider any change in the organisation and composition of the Bihar Military Police necessary? On what basis should its strength be determined? Do you consider the present strength adequate, excessive or inadequate?

47. Is it necessary, in the present context, to maintain armed police both in the district and in the battalions of the Bihar Military Police? If so, should the District Armed Police be a part of the Military Police or continue to be a part of the District Executive Force as at present?

48. Do you consider it necessary to have a followers' cadre attached to the District Armed Police in the same manner as such a cadre is attached to the Bihar Military Police? If so, what should be its composition, strength and duties?

49. Is it necessary to maintain the Mounted Military Police for law and order duties, or should this become an unarmed mounted police as in other States for duties connected with traffic and crowd control? If you are in favour of an unarmed mounted force, what should be its strength?

Homeguards.—

50. The Homeguards organisation in this State is an auxiliary to the Police. It is a voluntary organisation, run almost on the lines of the Territorial Army. Do you suggest any change in the organisation and its functions?

GENERAL.

51. Are you in favour of abolition of any rank in the Force? If so, why?

52. Have you any other suggestion to make about the organisation and set-up of all or any of the ranks of the Police, technical or non-technical, armed or unarmed?

B.—Powers and Duties.

53. The essence of the present scheme of police administration is centralization of functional, financial or administrative powers. Are you of the view that there is need for decentralization of any or all of these powers. Please suggest a concrete scheme of decentralization to ensure speed and efficiency.

54. In view of the growing complexity and variety in police problems, do you suggest any revision of the statutory powers of different ranks? Is it desirable that some magisterial or judicial powers be vested in certain ranks of police officer for the limited purpose of (a) maintenance of law and order, (b) prevention of crime and (c) enforcement of traffic laws and regulations? Please make specific suggestions.

55. The duties of different police functionaries are defined in the Police Act (Act V of 1861), the Code of Criminal Procedure and other Acts and departmental regulations. Do you think that the scope of these statutory provisions and departmental regulations require suitable revision. If so, what changes would you suggest and why?

56. Under section 30 of the Indian Police Act, section 9 of the Bihar Maintenance of Public Order Act and section 144, Cr. P. C., the police exercise certain regulatory powers in respect of processions, public meetings and assemblies in public places in order to prevent a possible breach of the peace. Do you recommend any amendment to these provisions of the law?

57. Please state the circumstances in which, in your opinion, detachments of Armed Police, including the Military Police and magistrates, should generally be detailed to deal with any situation in order to prevent a possible breach of the peace?

58. Would you suggest any amendment to the Police Manual Rule 621, as amended recently, about firing by police?

59. The primary function of the police as defined by law and procedure is to prevent and detect crime, protect life and property, preserve the peace and ensure tranquillity. Do you consider it necessary to redefine this conception in a social democratic State? Are you in favour of any enlargement of the scope of police duties to include (a) social service in the event of natural calamities, e.g., flood, fire, famine, epidemics, earthquake, etc., (b) enforcement of morals; (c) prevention of social evils including juvenile delinquency, etc.? If so, do you advise a special course of training to police personnel for discharging these duties?

60. Do you think that any of the duties performed by the Police can be transferred to any other agency of the State Government? If so, please specify them keeping in view that public rights and interests are not adversely affected.

C.—Extent of crime—Its causes and prevention.

61. Are statistics of various forms of crime a reliable guide to indicate the extent of crime that is prevalent in the State? If not, what is, in your opinion, the best method of assessing the extent? Do you think that the incidence of heinous crimes, such as, dacoity, robbery, burglary, running passenger train thefts, riot and murder or their intensity have been progressively increasing in the last ten years, or is it that wider publicity of crime reports is tending to give somewhat heightened picture of crime situation?

62. What are, in your opinion, the various causes—economic, moral and social that have led to increase in crime, if any? Do you think that economic causes, e.g., rising prices, growing population, unemployment, severe droughts, heavy floods, and upheavals like war, pestilence and famine, have contributed to the increase of crime?

63. Are you generally satisfied with the present system of crime control? If not, what improvements do you suggest?

64. Do you think that the present system of registration of and surveillance on bad characters is effective? What improvements do you suggest in the light of the rules in Chapters XIII and XIV of the Police Manual?

65. Most of the States have enacted their Habitual Offenders' Act. Do you think that there is need for such a legislation to deal with habitual offenders? Please indicate its nature and scope.

66. Do you think that adequate co-operation between (a) Police-Stations, (b) Districts and (c) States is available in matters of prevention and detection of crime?

67. Is good use being made of the preventive sections of the law, e.g., sections 107, 109, 110, 117, 144, 145, 147 and 151, Cr. P. C. in dealing with criminals and with various kinds of disputes? What are the difficulties and deficiencies experienced in the initiation and expeditious disposal of proceedings under these preventive sections?

68. Is sufficient use being made of section 565, Cr. P. C.?

69. The system of patrolling in an urban area is based on beats into which the town outposts are divided and the patrolling constables radiate in these beats from fixed posts. Do you suggest any change in this method of patrolling? If this system is not considered efficient, do you think that greater efficiency will result by increasing the number of constables per beat, or by other methods such as making the constable responsible for prevention of crime and patrolling in a specified area?

70. In dealing with crime in rural areas, particularly dacoity, do you consider patrols by (a) Chaukidars, (b) District Police (armed or unarmed) and (c) Bihar Military Police, adequate, effective and on proper lines? If not, what are your suggestions for improvement?

71. What other suggestions have you to make to combat dacoity, particularly in rural areas? Are you in favour of taking special steps to deal with this problem? If so, what should they be? If you recommend a special organization for it, what should be its set-up, powers and functions?

72. Is it your view that by liberalising the issue of license for fire-arms there will be a greater resistance to dacoits or is it that by increasing the number of fire-arms in the country-side, the dacoits may have easier access to them for their own criminal activities?

73. What are your suggestions to secure effective aid of the village community towards prevention of crime, especially dacoities and surveillance on bad characters?

74. Do you think that the wandering gangs are also responsible for crime? If so, are the existing rules of the Police Manual sufficiently effective in restraining them from committing crime?

75. Do you think that there exists a growing sense of insecurity to property and person in railway trains? If so, what measures do you suggest to remove it?

76. Do you think that the rate of traffic accidents, attended with loss of life caused, particularly by heavy vehicles, has increased? If so, what are your suggestions to prevent such accidents and deal with the delinquents more swiftly and sternly?

77. Has there been, in your opinion, a deterioration in the law and order situation in the industrial areas ? If so, what are the causes responsible for it ? What measures would you suggest for dealing with the situation ?

78. Is it your opinion that there has been a steady increase in the rank of such anti-social elements who generally indulge in indecent and disorderly conduct on public roads ? If so, what measures would you suggest to deal with them ?

79. Do you think that reformation and rehabilitation of criminals, wandering gangs and juvenile delinquents, would help to minimise the incidence of crime ? If so, what measures would you suggest ? How far do you think could the police effectively participate in these measures ?

80. The Probation of Offenders' Act XX of 1958 has been enacted for the after-care of delinquents and their release on probation. Have you any suggestion to make in regard to the working of the Act and the rules framed thereunder ?

D.—Institution and Investigation of cases.

81. Do you think that cases are properly and promptly reported to the Police ? Please make your suggestions in the light of sections 44 and 45, Cr. P. C. ?

82. Are you satisfied with the method of recording of the F. I. R. as provided in section 154, Cr. P. C. ? Should a carbon copy be handed over to the informant immediately after recording of the information ? How would you ensure prompt despatch of this document to various superior officers ?

83. Do you think section 154, Cr. P. C. should be so amended as to permit an F. I. R. to be registered on the basis of the information of crime conveyed by telegram, telephone or wireless ?

84. Do you think that section 154, Cr. P. C. read with section 162, Cr. P. C. should be so amended as to allow information of a counter-case lodged after the informant is made accused, to be admissible in evidence in the eye of law ?

85. Do you think that the present system of investigation requires improvement ? If so, on what lines ? What remedies do you suggest to eliminate delays and inefficiency in investigation ?

86. What classes of police officers should be entrusted with the investigation of different types of cases ?

87. Should police officers conduct investigation of cases in uniform ?

88. Keeping in view the conditions of finance, the state of communications, etc., what scientific equipment should be provided to (a) Range Headquarters, (b) District Headquarters, (c) Subdivisional Headquarters, (d) Police Stations and (e) investigating agencies of the Criminal Investigation Department to aid in the investigation of crimes ?

89. Do you consider the present standard of medico-legal work satisfactory ? Should autopsy (post-mortem examination) on dead bodies be conducted, as at present ? Should the doctors who conduct it be given a course of special training on medico-legal work ?

90. What steps do you think should be taken to prevent disturbance of a place of occurrence of a crime in order that no material clues are lost ?

91. Do you think Police Manual Rule 176 is being followed and maps and plans prepared to scale ? Would you suggest the continuance of this rule or any modification

92. Is it necessary in your opinion to frame rules with regard to the supervision of cases by officers of and above the rank of Inspectors ? Under the existing rules the investigation of all "special report" cases instituted in the district are required to be supervised by the Superintendent of Police. In view of increasing work, this has not been found to be practicable. Should a rule be framed in order that all "special report" cases, according to importance, are supervised by the Superintendent or Assistant or Deputy Superintendent of Police and other cases by Circle Inspectors ? Should the supervising officers be made responsible not only for the progress of the investigation but also for watching the progress of trial in case charge-sheet is submitted ?

93. Do you suggest any change in the law in relation to (a) investigation of non-cognizable offences under section 155, Cr. P. C., (b) use of discretion under section 157(b), Cr. P. C., (c) use of discretion in matters of arrest, custody, search and seizure, (d) method and procedure of writing of and despatch of case diaries under section 172, Cr. P. C., (e) use of discretion in releasing an accused person on bail or surety under sections 169, 496 and 497, Cr. P. C. and (f) enquiry into cases of unnatural death under section 174, Cr. P. C. ?

94. Do you think that it would be desirable to make any change (a) in the scope of sections 161, 162 and 163, Cr. P. C. and sections 25 and 26 of the Evidence Act to enable certain ranks of police officers to get statements of witnesses and accused persons signed and to make them admissible in evidence, (b) in the law of self-incrimination in view of the growing need of authority to compel the accused to give certain specimens, samples and measurements for purposes of comparison ?

95. There is no provision in law for holding a test-identification parade of suspicious persons and property. Do you consider that there should be a legal provision for securing attendance of accused who is on bail to appear for identification parades which should be something on the lines of section 160, Cr. P. C. ?

E.—Prosecution of Cases.

96. The Superintendents of Police are ordinarily responsible for efficient prosecution of all cases. Do you think that they feel handicapped in any way in discharging their responsibility ? If so, what are your suggestions ?

97. Do you think that the present system of recruitment of Public Prosecutors and Assistant Public Prosecutors who appear in Sessions Courts is working satisfactorily ? If not, please state the reasons and suggest improvement.

98. Have you any suggestion to make for any improvement in the conduct of State cases (criminal) in the High Court ?

99. Do you suggest a creation of a post of State Director of Public Prosecution ? If so, what should be his qualifications, powers and duties ?

100. What are the causes of delay in the disposal of trials of cognizable cases and enquiries relating to them ? How far can these delays be ascribed to, (a) difficulties in production of prosecution witnesses in courts, (b) absence of police witnesses in attending courts on one plea or the other, (c) inadequacy of trial courts and (d) insufficiency of prosecution staff ? What suggestions, if any, have you to make ?

101. What are the difficulties that are experienced by public prosecutors in regard to receiving papers in connexion with the opposing of applications for bail, prosecution of cases and for the preparation of their own "briefs" ?

102. Is it desirable to expand the scope of the provision of grant of pardon under section 337, Cr. P. C. ? What other classes of crimes would you like to be included ?

F.—Uniform and Clothing, Ordnance and Departmental Stores and Armament.

103. The uniform prescribed for the various ranks of the police force will be found in Appendix 65 of Volume III of the Police Manual and in Chapter XXXIII of Volume I. Do you suggest any change in the design of uniform or the scale of clothing issued to any rank ?

104. Should the system of indenting ordnance stores, clothing, etc., require any change ? Would you suggest setting up of a Central Departmental Stores which should indent all supplies and distribute them to various districts or should the present system of indenting ordnance and departmental stores by districts from approved contractors be continued ?

105. All officers down to the rank of Sub-Inspectors of Police carry revolvers as part of their equipment ? Should the Assistant Sub-Inspectors of Police be also armed with revolvers ?

106. Do you suggest any change in the calibre and bore of the various types of weapons in use in the Police ? The District Armed Police which used to be armed with .303 rifle is now to carry .410 muskets (smooth bore). Do you suggest any further change ?

107. The Tear Smoke Squad goes into action, supported by Armed Police, in order to assist in dispersing an unlawful assembly without having to resort to firing, if possible. At present there are only seven such squads in the State. Do you consider it necessary to attach such a squad to every district and subdivision in order to permit it to operate with the District Armed Police ?

108. For dispersing unlawful assemblies, lathi-police have frequently to go into action. Do you consider any change necessary in the training of the police personnel in the use of the lathi ? What should be in your opinion the size of the lathi ?

G.—Pattern of Staffing of Police Offices.

109. What should be the yardstick that should determine the pattern of staffing of Police Offices—Police State Headquarters, Range, District, Subdivisional and Circle Police offices ?

110. At present the cadre of the ministerial officers is composed of non-police personnel and is a closed one. Do you think that this should continue ? Or should the cadre consist of police personnel ?

PART II.

TERM OF REFERENCE 2 :—RECRUITMENT, TRAINING AND CONDITIONS OF SERVICE.

A.—Recruitment.

111. The existing methods of recruitment to various ranks of the police in this State are indicated in Appendix VI. Do you think that they can be said to be by competitive selection based on the principle "career open to talents"? If not, what improvements or modifications would you suggest?

112. "All in all a good policeman must have certain qualifications". The qualifications of candidates for recruitment to the various police ranks in the State are indicated in Appendix VI. Do you consider that in view of the developing demands on the Force in a Welfare State, any change is necessary; and what tests, both mental and physical, should be employed in order to ensure the appointment of the best type of recruits that are available?

113. In order to secure appropriate emphasis on physical attainments and qualities of leadership, should there be a preliminary qualifying test of the nature of a personality test, followed by a written examination and a *viva voce* test? Should candidates be also subjected to psychological tests?

114. What steps should be taken to ensure physical well-being of the members of the Force after appointment and should they be subjected to periodical physical examination? If so, what should be the periodicity?

115. On what principles should the ratio between direct recruitment and promotion if at all be fixed for the following ranks :—

- (i) Deputy Superintendent of Police;
- (ii) Inspector of Police, including Subedar and Jamadar of Military Police;
- (iii) Sub-Inspector of Police, including Jamadar of District Armed Police and Military Police;
- (iv) Assistant Sub-Inspector of Police including Writer-Naiks in Bihar Military Police;
- (v) Senior District Prosecutor;
- (vi) District Prosecutor;
- (vii) Sergeant-Major; and
- (viii) Sergeant.

116. Is it in your opinion necessary to make direct recruitment in any of the ranks mentioned above? Please give reasons.

117. The recruitment to the Indian Police Service is controlled by the Government of India and 25 per cent of the posts in the cadre of I. P. S. are filled by promotion of Deputy Superintendents of Police (Bihar Police Service). Do you think that the percentage should be increased or decreased?

118. The constables and sepoy of Military Police are recruited on regional basis in districts and units. Do you think that the present system should continue or centralised recruitment will secure uniformity in quality and standard?

B.—Training.

119. Training can be classified as follows:—

- (i) Basic training on recruitment;
- (ii) In-service training for advanced knowledge at a certain stage of service; and
- (iii) Special courses for specialisation.

Do you suggest that all the above forms of training should be prescribed; and, if so, what are your views about the pattern, scope, suitability and stages of each of the three types of training? Would you like any other kind of training to be prescribed? If so, is it necessary that promotion to the next higher rank should be given when an officer qualified at a test held on the conclusion of a prescribed in-service training course to be taken on attaining certain seniority as is done in the Army?

120. Do you consider it necessary to impart advanced training to all ranks, and is specialisation in certain branches necessary? If so, should it apply to all ranks in those branches?

121. The organisations of the three training establishments are shown in Appendix VII. Have you any suggestion to make with regard to the changes in the supervisory and instructional staff?

122. Instructors in the Police Training Institutions are drawn from the Force because they are said to have the advantage of organised experience and appropriate knowledge. If you agree with this view, what are your suggestions to attract the suitable type of officers for appointment as Instructors and what should be their rank? Do you also consider it necessary to draft some Instructors from outside the Force? If so, please give concrete suggestions.

123. A certain curriculum is prescribed for each of the three Training Institutions. What should be in your opinion the curricula followed in these establishments?

124. Do you consider it necessary and practicable to locate the training institutions, the scientific section of the C. I. D. and the State Forensic Science Laboratory at one place as the use of these institutions would also be necessary for advanced training?

C.—Conditions of Service.*Discipline.—*

125. Does the ranking of the officers as mentioned in Appendix VIII affect adversely the discipline of the Force? Is so, what changes do you suggest?

126. The provisions of the Government Servants' Conduct Rules, sections 7 and 29 of the Police Act (Act V of 1861) and the rules framed thereunder in Chapters XXII and XXV of the Police Manual and Military Police Act, 1892, respectively constitute the existing scheme of disciplinary control in the Force. Do you think that the existing provisions regarding disciplinary control are adequate with a view particularly to achieving the required standard of discipline? Have you any suggestions to make?

127. Do you consider it necessary to decentralize the disciplinary powers vested in the Inspector-General, Deputy Inspector-General and Superintendent of Police?

What precautions would you suggest to ensure uniformity in the standard of disciplinary control in a decentralised scheme?

128. Have you any suggestion to offer in order to make the existing procedure of departmental proceedings simpler, speedier and more effective? Do the existing disciplinary rules provide adequate safeguards?

129. Do you think that the rule (Police Manual Rule 924) regarding recording of remarks in the Confidential Character Roll needs any amendment? Is it your opinion that the initiating officer should show the remarks recorded in the C. C. Roll when it is written up to the concerned officer and obtain his signature in token of his having seen it as is done in the Army?

130. Have you any suggestion to make with regard to the present system of recording of remarks in the Confidential Character Roll of gazetted officers of and above the rank of Deputy Superintendent of Police?

131. Who should be the countersigning authority of the travelling allowance bills of Deputy Inspectors-General of Police? Should he be the Assistant to the Inspector-General as at present or the Inspector-General himself? Should the District Magistrate continue to be the countersigning authority of the travelling allowance bills of Superintendents of Police?

Pay and emoluments.—

132. Do you consider that the scales of pay of different ranks of the Police are adequate in view of the (a) responsibilities, (b) hardships, risks and unpleasantness associated with their duties? If not, what changes do you suggest? In making the suggestions, their financial implications may be kept in view.

133. A certain proportion of the Force is entitled to special pay and allowances, vide Appendix IX. Do you suggest any change in the present system of special pay and allowances admissible to Police Officers?

134. Are you in favour of supply of subsidized foodgrains and other essential articles to the members of the Force? If so, to which ranks should such benefit be available and what restrictions, if any, should be imposed to prevent any abuse?

Pension and Retirement Rules.—

135. The present age of retirement in all ranks in the Executive Police Force is 55. The retirement age for sepoy in the Military Police is 45 and for non-commissioned officers and junior commissioned officers 50. Do you consider any change in the age of retirement of any rank necessary?

136. The present scheme of pensionary benefits including the rate of pension, death-cum-retirement gratuity and qualifying service is the same for all State Government servants. Do you suggest any change in the existing scheme for Police Officers?

137. Is it your view that there should be a special Insurance Scheme for police personnel in order to cover casualties, including natural and accidental deaths and bodily injuries?

Leave.—

138. The classes of leave admissible to the members of the Force are governed by the Fundamental-cum-Supplementary Rules and the Bihar Service Code. There

is a provision for Hospital leave to a maximum of three months which is not debited to the leave account and is given at the discretion of the Superintendent of Police. Members of the Force are also entitled to 16 days' casual leave and the usual public holidays. Frequent restrictions are, however, imposed on the grant of casual and other kinds of leave and availing of holidays due to the exigencies of public service. Do you consider any liberalisation of the leave rules necessary?

Hours of Work.—

139. Under section 22 of the Police Act (Act V of 1861) a Police officer is considered to be always on duty. Do you suggest any modification?

Incentives.—

140. The present system of rank-promotion is based on the principle of selection made by specially constituted Selection Boards except in the rank of Assistant Sub-Inspectors who are to be promoted after they qualify at a promotion examination. Is it your view that the present system does not ensure uniformity of standard in selection? Have you any suggestion to make regarding the principle and procedure that should govern promotion to a higher rank? Do you think that promotions should be made strictly on merit or seniority or both on merit and seniority? Are you in favour of out-of-turn promotion and should weightage be given on the results of tests conducted on the conclusion of courses of specialised or in-service training?

141. There is a system of incentive award under which grants of paper and money rewards are made for specific good work. Do you think that the present system provides adequate incentive for duties requiring exceptional keenness, skill, courage, honesty or hard work?

Travelling, Halting and Conveyance Allowances.—

142. Do you think that the present rules as given in Appendix N regarding travelling, halting and conveyance allowances for each rank are satisfactory? If not, what are your suggestions?

Housing.—

143. A list of members of the Force entitled to rent-free quarters or house-rent in lieu thereof is given in Appendix X. Do you consider the position of accommodation satisfactory? If not, what specific suggestions have you to make to improve the present position?

144. Do you suggest any change in the type-plans of police buildings, including (a) residential quarters, (b) barracks and (c) office? If so, what are your suggestions, keeping in view the need for economy?

145. What should be the principle on which the design and construction of a police-station, including its lock-up and *malkhana* be based?

146. Do you think that any simplification is necessary in the procedure of obtaining sanction for the construction of staff houses for the various ranks?

147. Those entitled to free accommodation are given a scale of rent as shown in Appendix X in lieu of free quarters. Do you consider any change in the scale necessary in view of the present rent structure and the procedure that has to be followed in granting house-rent allowance?

Medical Aid.—

148. All ranks in the police and their families are entitled to free medical treatment. For subordinate ranks, police hospitals have been established in every district in the last five years. What is your view about the adequacy of medical aid at present available to the members of the Force and their families? What improvements have you to suggest in this regard?

Welfare.—

149. Have you any suggestion to make regarding provision of any facility, and amenity, not yet available, to all or any ranks of the Force. Please make concrete suggestions.

150. The Army system of having representatives of every rank in a *Sabha*, where collective needs can be discussed have been introduced in the police. Are you in favour of its continuance?

151. Departmental efforts have been made to organize welfare funds which finance police personnel in difficulties. They also finance a free public school at Hazaribagh and subsidiary schools at district and unit headquarters and provide recreational facilities to the Force. What further expansion in this direction would you suggest? Is it your view that such activities are vitally connected with the morale of the Force? If so, would you suggest the organization of a welfare department or wing in the police organization?

152. It has been suggested that special facilities should be provided for the education of children of police officers and it should be made free for the children of all subordinate ranks. Do you support this view? If so, to which ranks should this facility be extended?

153. Canteens have been provided at every district headquarters. Do you think that the scheme should be extended to subdivisional headquarters?

Morale.—

154. Do you think that the morale of the Force has suffered due to any condition of service? If so, please state it and suggest its remedy? Has any other factor tended to weaken the morale of the Force?

155. In the Armed Forces (Army, Navy and Air Force) no service-association is formed. In Bihar, service-associations, however, exist for the I. P. S., Provincial Police Service (D. S. P.) and Subordinate Police Service (Inspectors, Sub-Inspectors and Assistant Sub-Inspectors). Are you in favour of retaining these associations? If so, should it be extended to the constabulary? What principles should govern the rules of business of these associations?

PART III

TERM OF REFERENCE 3:—RURAL POLICE.

156. Are you satisfied with the working of the rural police? If not, what improvements would you suggest in order to revitalise this force, having special regard to—

- (i) Methods of recruitment;
- (ii) Conditions of service;
- (iii) Strength; and
- (iv) Duties and responsibilities?

157. The present organisation of the rural police in this State is based on various systems. In the Chotanagpur Division, the Choukidari Rural Police Act, 1914, and the rules framed thereunder are in force. In the other districts of Bihar, the Village Choukidari Act, 1870, the Bengal Village Choukidari Act, 1871 and the Bihar and Orissa Village Administration Act, 1922, regulate rural police administration while in the Santhal Parganas, the Santhal Parganas Rural Police Regulation, 1910, operates. Would you advocate a uniform system and why?

158. The strength of the rural police in 1912 was 55,715 and the population was a little over 2 crores. On the recommendations of the Bihar Rural Police Reorganisation Committee of 1947, the strength was reduced to 39,279 in order to afford higher emoluments to the reduced staff. Do you consider the existing strength to be adequate? If not, what principle or yardstick should determine the strength of the rural police, keeping in view the population, the number of houses and the type and area of the village including its totals?

159. Should rural policemen continue to be part-time employees? If they are not to be part-time employees, how would you suggest meeting the extra cost of entertaining whole-time employees? Would you, in that case, redefine their duties and responsibilities?

160. If the rural police administration is to be dependent on the village community, should the control of the rural police vest in the Gram Panchayats? Alternatively, should the village volunteer force under the Dalpati, raised under the Gram Panchayat Raj Act, replace the rural police and function under the general guidance of the police? Should the Dalpati be a paid officer? Please offer concrete suggestions.

161. Would you suggest replacement of rural police by village constables? What should be the area of charge of such constables and the pattern of liaison with the Gram Panchayats?

PART IV

TERM OF REFERENCE 4:—SUPERVISION.

The administration of Police throughout the local jurisdiction of the Magistrate of a district vests in the District Superintendent of Police, subject to the general control and direction of the District Magistrate. The Superintendent of Police is, however, in charge of the discipline and the economy of the Force and for this purpose, he is responsible to his departmental superiors, namely, the Deputy Inspector-General of the Range, and the Inspector-General. The District Magistrate is responsible to the Divisional Commissioner and Government with regard to the criminal administration and the statutory powers vested in the magistracy are reflected in the Police administration so far as investigation and prosecution of cases are concerned.

162. Do you think that the supervision exercised by the magistrate including the District Magistrate over the criminal administration is as adequate now as it was before? What suggestions have you to offer in this respect?

163. What steps do you think should be taken to ensure proper relationship between the police and the magistracy in a Welfare State?

164. In view of the separation of the executive and the judiciary, do you think any adjustment, legal or administrative, are required to be made with regard to the relationship that should exist between the executive and the judicial authorities, with particular reference to criminal administration?

165. Following the pattern of police administration in presidency towns do you think the senior Police Officers could be empowered to take such preventive action as Commissioners and Deputy Commissioners of Police (equivalent in rank to Deputy Inspector-General and Superintendent of Police respectively) are empowered to take? Will this result in quicker action against anti-social elements?

166. As regards supervision and control by departmental officers over the various ranks subordinate to them, do you think they are adequate? If not, what remedies do you suggest?

167. Do you think that the supervisory control exercised by the Superintendents of Police, Subdivisional Police Officers and Circle Inspectors over their subordinate charges is adequate and effective? If not, what are your suggestions?

168. Does the present proportion of direct recruits and promoted officers in the basic supervisory ranks secure efficient and adequate supervision of the investigation and prosecution of cases, effective control of crime and proper enforcement of discipline?

169. Do you consider it necessary to reorganise the present supervisory set-up of the police in the districts in order to ensure a more effective control and supervision in execution of orders and performance of duties? If so, what suggestions have you to make?

170. The primary supervisory functions are (i) inspection of Police posts, (ii) supervision of investigation of cases, (iii) prosecution of cases in courts, and (iv) departmental enquiries into misconduct of Police Officers. Should a police post be inspected by five different categories of officers in the same year and should supervision of the investigation of a case be done by two or more officers? If not, do you suggest any division of the various supervisory functions within a district in order to raise efficiency and eliminate wasteful duplication?

171. Do you think it is necessary to prescribe the rank of the enquiring officer in relation to the rank of the officer whose conduct is under enquiry?

PART V

TERM OF REFERENCE 5:—CORRUPTION

The Commission are interested to obtain reliable data about the nature, extent and forms of corruption in the Police Force. The nature of corrupt practices prevalent in different ranks should be clearly distinguished in order to form a correct assessemnt of the extent of corruption in each rank. Reply should be based on direct knowledge and hearsay reports should be treated with great caution.

172. What is your estimate of the extent and nature of corruption as it exists today in the Police Department? Has it, in your opinion, increased or decreased? What is the basis of your opinion? Can you assign reason for increase or decrease, as the case may be?

173. Please state clearly the various opportunities that a police officer may get in his official capacity to accept illegal gratification. Such opportunities are particularly reported, amongst others, in the following circumstances:—

- (a) recording of station diary entries;
- (b) recording of first information reports;
- (c) arresting or threatening to arrest without any material;
- (d) making inaccurate note of the place of occurrence;
- (e) writing or submitting of case diaries with delay;
- (f) closing of the investigation and submitting of final form, either charge-sheet or final report, not warranted by the real facts of the case;
- (g) delaying execution or non-executing warrants and processes under sections 87 and 88, Cr. P. C.;
- (h) testing fitness of sureties;
- (i) submitting reports under section 144, Cr.P.C.;
- (j) sending papers with delay in connexion with bail applications;
- (k) dealing with traffic and gambling offences;
- (l) causing harassment to public vehicles;
- (m) maintaining dossiers of criminals;
- (n) dealing with gun license petitions.

174. Are you aware of any corrupt practice in the internal management of the Force?

175. Some of the factors contributing to existence of corruption in any service are the following:—

- (a) lack of efficient supervision;
- (b) lack of keenness to deal with complaints made to magistrates or departmental officers;
- (c) scope and opportunity inherent in the system;
- (d) economic needs and conditions of service in respect of pay, emoluments and other amenities;
- (e) social customs;
- (f) absence of ethical or moral bias in training and in service;
- (g) corrupting influence of unscrupulous publicmen.

In what degree any or all of the above causes contribute to corruption in the Police Force? Are you aware of any other direct or indirect causative factors?

176. What methods would you suggest to eliminate or minimise corruption in the police? Do you advise enforcement of the following measures:—

- (i) more efficient and intensive supervision at all levels;
- (ii) loss of promotion and compulsory retirement of dishonest officers, judged on their record and reputation;
- (iii) improvement in the conditions of service;
- (iv) adequate emphasis on ethical bias in training and in service.

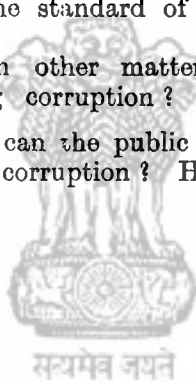
Please make your suggestions specific in respect of each of the above measures. Have you any other suggestion to make?

177. Are you in favour of starting a separate vigilance wing for the Police Department in order to control corruption? If so, what should be its organisation?

178. How far has the scheme of placing of certain Police-Stations in a district in charge of Inspectors and certain circles in charge of Assistants/Deputy Superintendents of Police led to improvement in the standard of dealings with the public?

179. Have you any suggestion in other matters concerning the reorganisation of the Force with a view to controlling corruption?

180. In what way do you think can the public be educated and necessary public opinion created against the evil of corruption? How can Gram Panchayats help in combating this evil?



PART VI

TERM OF REFERENCE 6:--CRIMINAL STATISTICS, RETURNS AND RECORDS

Chapter 30 of the Police Manual and Appendices 61, 62 and 64 contain lists of statistical statements, returns and registers. Police Orders nos. 3, 5, 26, 42 and 47 have also prescribed some forms. Some forms have been prescribed by Standing Orders in the districts and ranges.

181. (i) Criminal statistics and records have a twofold purpose, (a) statistics and records of crime afford facility to judge the extent of the crime problem and (b) records of criminals and of property associated with crime provide a practical aid in the detection and prevention of crime. Do you think that the present system of record-keeping fully and effectively serves the purpose? If not, why?

(ii) To what other use can criminal statistics and records be put?

182. Is it your view that the present system suffers from waste of effort due to duplication and lack of co-ordination or standardisation? Do you recommend elimination of some of the existing returns, reports, registers and records?

183. Have you any suggestion to make with regard to any deficiency in the maintenance of criminal statistics and records? Should the crimes reported at Gram Panchayat Kutchery be incorporated in police statistics and returns?

184. The more important registers and records in the Police-Station are the following:—

(i) Station Diary;

(ii) Crime Directory (Parts I, II and III);

(iii) Khatian (Parts I and II).

Do you recommend any change in the form or abolition of any of the above records or registers?

185. In England, the crime records of the various Police Forces are maintained centrally at Scotland Yard in London and is called the Central Record Office. In Bihar, criminal records are maintained at the Police-Stations. Do you recommend establishment of a Criminal Record Office at the headquarters of each district?

186. Criminal records of specialised and organised crime are also maintained in the Criminal Investigation Department. Do you recommend the continuance of this system?

187. Do you recommend increasing use of printed and standardised forms and also mechanical devices to ensure accuracy and efficiency?

188. Do you consider it necessary to have a special statistical staff for collection, compilation and preparation of criminal statistics and records? Please make a concrete suggestion with regard to its organisation and set-up.

189. Police Manual Rule 47 discourages use of statistics as “the chief means” of assessing police work. Do you support this view? Is this rule being followed by inspecting and supervising officers?

PART VII

TERM OF REFERENCE 7:—PUBLIC CO-OPERATION.

190. "The Police touch the people at so many points" that the personnel are the most visible signs of Government, whether in a public street or a village lane or a house of entertainment or on a railway platform. It is, therefore, essential that the police must cultivate good-will of the people they have been raised to serve and the public must understand the difficulties and handicaps under which their own force works. The police cannot function efficiently without public co-operation. How best can this co-operation be achieved ?

191. How can willing co-operation of the people be ensured *inter alia* for the investigation of crimes and performance of police duties, such as house searches, arrests, execution of processes and information about movements of criminals ?

192. Do you think that the extent of misuse of powers and privileges or laxity in the enforcement of departmental rules regarding behaviour towards public are any greater now than what they were before 1947 ? If they exist, what specific measures can you suggest to remove the existing causes ?

193. Do you think that better co-operation can be achieved by free and informal intercourse between police officers and the public through meetings, route marches, advertisements, police exhibitions, etc. ?

194. Should an Advisory Committee, in your opinion, be set up for co-ordinating the endeavours of the police and the public in maintaining peace, preventing crime and performing police duties generally ? This system has been tried with success in one State. If you are in agreement with it, what should be the constitution of such Committees ? Should they be formed at police-station, circle, subdivisional and district levels or should they be local Advisory Committees for each Panchayat ? How should the membership be constituted ? Should they be nominated by the Police in consultation with the Panchayats or should they be nominated only by Panchayats ? Should the Committees have any specific purpose, like prevention of crime or should the Committees be made to interest themselves in other police problems as well ?

195. What methods and facilities would you suggest for promoting full co-operation between the Village Volunteer Force and the Police Force ?

196. In recent years, the Police have performed what may be called extra police duties during industrial and labour strikes and natural calamities. Do you think that these activities should be maintained for promoting public co-operation ?

197. Is it your opinion that by associating the police with the developmental work of Government, it is likely to promote better public co-operation ? If so, in what manner should the police at various levels be associated ? Are you in favour of Shramdan by Police ?

198. Do you consider it necessary to establish a police-public relations branch in the police organisation ? There is a temporary post of Public Relations Officer in the office of the Inspector-General of Police. Do you think the post should be made permanent and such officers appointed at district headquarters also ? Do you consider it necessary to have a Press Bureau ? If so, at what levels should they be established ?

199. Under the existing rules, the police are not to contact the Press. Do you think that this restriction should continue ? If it is to be modified, at what level should contact be established ?

200. What are your suggestions to ensure prompt and regular release of **authentic** information about crime and police work ?

201. Since publication of press reports must have a substantial bearing on the attitude of the people towards the Force, should any convention be established by the Press in respect of publications about crime and police activities ? What other suggestions have you to make to promote co-operation between the Police and the Press ?



APPENDIX XVII.

LIST OF PERSONS AND ASSOCIATIONS WHO ASSISTED THE COMMISSION WITH ORAL OR WRITTEN EVIDENCE.

Serial no.	Name.	Address.
A		
1	Agrawal, Arjun	Indian Colliery Owners Association, Dhanbad.
† 2	„ S. N.	M. L. A., Bhagalpur.
* 3	Ahmad, F., I. P. S.	Superintendent of Police, Gaya.
* 4	„ Israr	Sepoy 172, B. M. P. VI, Muzaffarpur.
† 5	„ S. M.	Editor, The <i>Sentinel</i> , Ranchi.
* 6	Akhauri, S., I. P.	Deputy Inspector-General, Criminal Investigation Department, Bihar, Patna.
7	Allauddin, S.	Wing Commander, B. M. P. II, Dehri.
8	Ambasta, B. S.	Head Clerk, Police Office, Hazaribagh.
9	Askari, S. Mohammad	Jogi Begg, Patna City.
10	Ayub, Mohammad	Deputy Superintendent of Police, Aurangabad, Gaya.
† 11	„ M.	Advocate, Patna.
B.		
12	Bagi, B. Singh	M. L. A., Patna.
13	Baghel, M. S.	Sub-Inspector, Madhupur P.-S., Santhal Parganas.
14	Bahadur, Shyam	Secretary, Bar Association, Gaya.
* 15	Banerjee, B. B., I. P.	Deputy Inspector-General, Central Range, Patna.
* 16	„ B. K.	Advocate, Patna.
* 17	„ K. K.	Retired Judge, Patna High Court.
† 18	„ P. K.	Advocate, Ranchi.
19	„ S. N.	Government Pleader, Madhupur, Santhal Parganas.
* 20	„ S. S. (two representatives)	And S. M. Zakaria, both representing Sub-Inspectors, Constable Training School, Nathnagar, Bhagalpur.
† 21	Beard, A. A.	Chief Mining Engineer, Bird & Co., Dhanbad.
* 22	Bhatia, G. S.	Post Master-General, Patna (appeared S. C. Sen Gupta).
† 23	Bhattacharya, C.	President, Tobacco Manufacturing Workers' Union, Monghyr.
24	„ D. G.	Chief Security Officer, Calcutta.
* 25	„ G. P.	Deputy Director, Forensic Science Laboratory, Criminal Investigation Department, Bihar.
26	Bose, Durga Charan	Deputy Superintendent of Police, Assistant Security Officer, Railway Protection Force, Patna.

Serial no.	Name.	Address.
*27	Bose, S. C. .. ..	.. Professor, Samastipur College, Darbhanga .
†28	Boyer, R. .. ..	.. Works Manager, India Cable Co., Jamshedpur.
29	Bukhta, Syed Sikander .. ..	.. Court Assistant Sub-Inspector, Arrah.
		C
*30	Chandrashekhar, A., I. P. S. .. ..	.. Superintendent of Police, Muzaffarpur.
31	Chatri, Dharam Bahadur .. ..	.. Jamadar, B. M. P. I, Ranchi.
*32	Chatterjee, S. K. .. ..	.. Officer Incharge, Police Laboratory, Criminal Investigation Department, Bihar.
*33	„ S. K., I. P. S. .. ..	.. Superintendent of Police, Criminal Investigation Department, Bihar, Patna.
34	Chaube, Ganesh .. ..	.. Sub-Inspector, District Crime Branch, Champaran.
35	„ Kailashpati .. ..	.. Constable, Dhanbad.
36	Chaudhry, Satyendra Mohan .. ..	.. Mukhiya, Gram Panchayat, Narpatganj, Purnea.
*37	„ A. K., I. P. S. .. ..	.. Assistant Superintendent of Police, Patna City.
*38	„ V. K. .. ..	.. Munsif-Magistrate, First Class, Patna.
†39	„ B. N. .. ..	.. Convener, Bhoodan Yagna Committee, Patna.
40	„ Jamuna .. ..	.. Drill Instructor, Police Training College, Hazaribagh.
41	„ Jagannath .. ..	.. Mantry, Gram Panchayat, Sitamarhi.
42	„ G. B. .. ..	.. M. L. A., Patna.
43	„ H. S. Ghosh, I. P. .. ..	.. Inspector-General of Police, West Bengal.
†44	Chaukidars (13 representatives)	.. Dhanbad.
*45	Chhokar, K. G. S. .. ..	.. Chief Medical Officer, Jamshedpur
*46	Couto, A. F., I. A. S. .. ..	.. District Magistrate, Gaya.
		D
†47	Dacosta, E. C. .. ..	.. General Manager, TELCO, Jamshedpur.
†48	Dalpaties (7 representatives)	.. Dhanbad.
†49	„ (3 representatives)	.. Bhagalpur.
†50	Dalpaty (only one)	.. Muzaffarpur.
51	Danewalia, B. S., I. P. S. .. ..	.. Assistant Inspector-General of Police, Punjab.
52	Das, Dr. R. C. .. ..	.. Head of Department of Psychology, Bihar University.
53	„ R. C., I. P. .. ..	.. Inspector-General of Police, Orissa.
*54	Dawan, Rajendra Nath .. ..	.. Secretary, Mandal Congress Committee, Kodarma.
55	Dayal, Prem .. ..	.. Handwriting Expert, C. I. D., Bihar, Patna.
†56	Deogan, L. .. ..	.. M. L. A., Patna.
57	Deo, K., I. P. S. .. ..	.. Assistant Superintendent of Police Camp, Arwal.
58	Deputy Superintendent of Police	.. Hazaribagh.

Serial no.	Name.	Address.
†59	Dasgupta, D. L.	Director, Institute of Technology, Sindri, Dhanbad.
*60	Davi, Lakshmi	M. L. A. Khurd Dumaria, P. O. Kabela, Monghyr.
†61	„ Sharda	Vedalkar, Principal, Mahila Mahavidyalaya, Bhagalpur.
62	Dey, Dr. B.	Professor, L. S. College, Muzaffarpur.
63	Dixit, J. N.	Ex-Superintendent of Police, Santhal Parganas.
64	Dabey, Daya Nidhi	Government Railway Police, Gaya.
†65	Datta, S. N., I. A. S.	Secretary, Finance Department, Bihar.
66	Dwivedy, Nawal Kishore	Pleader, Bhagalpur.
E		
†67	Engineer, B. H.	Chief Mining Engineer, Tata Colliery, Dhanbad.
F		
NIL.		
G		
*68	Ghosh, A. K., I. P.	Deputy Inspector-General, Northern Range, Muzaffarpur.
69	„ R. P.	Retired Deputy Superintendent of Police and Security Officer, Timpla Co. (Private), Ltd., Golumuri, Ranchi.
*70	„ S. M., I. P. S.	Assistant to Inspector-General of Police, Bihar, Patna.
71	Goverdhan, T. P. S.	Inspector-General of Police, Rajasthan.
†72	Grewal, S. S.	Chief Inspector of Mines in India, Dhanbad.
73	Gupta, A., I. P.	Inspector-General of Police, Himachal Pradesh.
74	„ Bishwanath	Writer Constable, Operator, Police Radio-Station, Ranchi.
75	„ M. Prasad	Mukhiya, Gram Panchayat, Mahania, Shahabad.
76	Gurang, K. L.	Writer Naik, B. M. P. I, Ranchi.
H		
77	Haidar, A. Allauddin	Inspector, Anti-Corruption, Bihar, Patna.
*78	Harinarayanand, M. Swami	State Convener, Bharat Sewak Samaj, Patna.
*79	Hassan, S. M.	District and Sessions Judge, Gaya.
†80	Hayward, J. C.	Pleader, Ranchi.
81	Honorary Secretary	State Society for Prevention of Cruelty to Animals, Bihar, Patna.
I.		
82	Ibrahim, Md.	Mukhiya, Gram Panchayat Kurihdangi, P. O. Thakurganj, Purnea.
83	Idas, Md.	Jamadar, B. M. P. VI, Muzaffarpur.
84	Inspector General of Police	Manipur, Assam.
85	Imam, Syed Manzar	Advocate, General Secretary, District Bar Association, Patna.

Serial no.	Name.	Address.
J		
†36	Jabbi, G. S. .. ..	.. Chief Inspector of Mines, Dhanbad.
*37	Jagdanand, I. P. S. .. ..	.. Superintendent of Police, Saran.
†88	Jain, H. C. .. ..	.. President, Provincial Motor Union Congress, Ranchi.
†89	Janson, W. J. (and P. K. Mitter), I. P. (Retd.)	.. Representative, Indian Mining Association, Calcutta.
†90	Jankinath, A. .. ..	.. Deputy Town Administrator, TISCO, Jamshedpur.
†91	John, M. .. ..	.. President, I. N. T. U. C., Bihar, Ranchi.
*92	Jha, A. P. .. ..	.. Junior Research Assistant, Central Record Office, Patna.
*93	„ Bhuwaneshwar .. ..	.. Mukhiya, Gram Panchayat, Sahebganj, Bhagalpur.
†94	„ C. M., I. P. (Retd.) .. ..	.. Ex.-D. I. G. of Police, Manager, Court of Wards, Bettiah.
95	„ Deo Narayan .. ..	.. Assistant Sub-Inspector, Katras P.S., Muzaffarpur.
96	„ J. B. .. ..	.. Deputy Superintendent of Police, Naugachhia, Bhagalpur.
*97	„ Janeshwar .. ..	.. Pleader, Motihari.
98	„ J. N. .. ..	.. Havildar, Darbhanga.
†99	„ Jogeshwar .. ..	.. M. L. A., village Mohammadganj, Tepra, P. O. Mohammadganj, Saharsa.
*100	„ M. K., I. P. S. .. ..	.. Superintendent of Police (B), Special Branch, Criminal Investigation Department, Bihar, Patna.
*101	„ Nirsu .. ..	.. Deputy Superintendent of Police (Special Branch), Criminal Investigation Department, Bihar, Patna.
*102	„ S. N. .. ..	.. News Editor, the <i>Searchlight</i> , Patna.
K		
*103	Kanji, S. K. .. ..	.. Sarpanch, Dumarkunda Gram Panchayat, Dhanbad.
*104	Kashyap, V. P., I. A. S. .. ..	.. Secretary, Welfare Department, Bihar.
105	Kaul, D. N., I. P. S. .. ..	.. Assistant Inspector-General of Police, Jammu and Kashmir.
†106	Keezan, J. J. T. .. ..	.. Representative, Colliery Managers' Association, Dhanbad.
107	Khan, Matlub .. ..	.. Havildar, Darbhanga.
*108	Khan, M. H. .. ..	.. Reserve Sergeant-Major, Jamshedpur.
109	Khan, Md. Musa .. ..	.. C/1170 Police Lines, Gaya.
110	„ Tajuddin .. ..	.. District Prosecutor, Dhanbad.
*111	„ Quadir Bux .. ..	.. Advocate, Hazaribagh.
*112	Khanna, R. P., I. A. S. .. ..	.. Secretary, Supply and Commerce Department, Bihar.
*113	Khosla, Vora .. ..	.. President, All-India Women's Conference, Jamshedpur.
114	Kohili, P. S., I. A. S. .. ..	.. District Magistrate, Saharsa.
115	Kumar, Parmeshwari .. ..	.. Constable, Alamnagar, Saharsa.

Serial no.	Name.	Address.
L.		
†116	Lakra, J. .. ..	.. M. L. C., Patna.
*117	Lal, Bajrang .. ..	.. Assistant District Prosecutor, Darbhanga.
118	„ B. B. .. ..	.. Sub-Inspector of Police, B. M. P. V, Patna.
*119	„ D. N. .. ..	.. Deputy Superintendent of Police, Criminal Investigation Department, Bihar, Patna.
*120	„ D. N. .. ..	.. Director, Central Bureau of Economics and Statistics, Bihar (Head of the Department of Statistics, Patna University).
†121	„ Kant Kumar .. ..	.. Advocate, Ranchi.
*122	„ Lal Bihari .. ..	.. Advocate, Patna.
123	„ Moti .. ..	.. Sepoy, B. M. P. I, Ranchi.
*124	„ R., I. P. S. .. ..	.. Deputy Secretary, Anti-corruption Department, Bihar, Patna.
*125	„ R., I. P. S. .. ..	.. Deputy Secretary, Anti-corruption Department, Bihar, on behalf of Indian Police Association, Bihar, with four representatives.
126	„ Raj Kumar .. ..	.. Head Clerk, B. M. P. V, Patna.
127	„ S. C. .. ..	.. Secretary, Bihar Vidhan Parishad.
†128	Lala, K. M. .. ..	.. Public Prosecutor, Shahabad.
M		
†129	Mackenzie, V. C. .. ..	.. Sergeant-Major, Provincial Reserve Workshop, Patna.
†130	Magrath, Father E. H. .. ..	.. Director, Labour Relations Institute, Jamshedpur.
*131	Mahanty, G. C. .. ..	.. Chief Liaison Officer, TISCO, Jamshedpur.
132	Mallick, M. M. .. ..	.. Deputy Superintendent of Police, Criminal Investigation Department, Anti-dacoity, Patna.
133	„ P. K., I. P. S. .. ..	.. Additional Superintendent of Police, Gaya.
134	Mantry, Kalyan Samity .. ..	.. Kodarma, Hazaribagh.
135	Mathur, M. S., I. P. .. ..	.. Inspector-General of Police, U. P.
*136	Matin, M. A. .. ..	.. Officer incharge Finger-print Bureau, Criminal Investigation Department, Bihar, Patna.
†137	Mehta, P. C. .. ..	.. Principal, Women's College, Jamshedpur.
*138	Mishra, A. P., I. P. S. .. ..	.. Superintendent of Railway Police, Patna.
139	„ Avay Chandra .. ..	.. Mukhiya, Gram Panchayat, Malikpur, Darbhanga.
140	„ Baleshwar .. ..	.. Constable, B. M. P. VII, Katihar.
*141	„ B. R. .. ..	.. M. L. C., Patna, Head of the Department of Economics, Patna University.
142	„ D. P. .. ..	.. Officer incharge Government Railway Police, Siwan, North-Eastern Railway, Saran.
†143	„ Ganganath .. ..	.. M. L. A., Champaran, village Maharani, P. O. Damodarpur.
*144	„ Jagannath Prasad .. ..	.. M. L. C., Patna.

Serial no.	Name.	Address.
*145	Mishra, K. N.	.. .. Police Public Relations Officer, Patna.
146	„ Rama Shaukar	.. .. Assistant Public Prosecutor, Murarpur, Gaya.
147	„ Ramasis	.. .. Jamadar, B. M. P. VII, Katihar.
*148	„ Shrinivas	.. .. Writer Naik, B. M. P. V, Patna.
*149	„ S. N.	.. .. Writer Constable, 79, Sariaghahat P.-S., Santhal Parganas.
150	„ V. P.	.. .. Advocate, Saran.
†151	„ W. C.	.. .. Vice-President, All-India Trade Union Congress, Jamshedpur.
152	Mitra, P. Nath	.. .. Advocate, President, Bar Association, Darbhanga.
*153	„ P. P.	.. .. Inspector of Police, Sadar 'B' Division, Gaya.
*154	Modi, B. R.	.. .. State Fire Officer, Bihar.
*155	Moinuddin	.. .. Havildar, Malsalami. T. O. P., Patna.
†156	Mojib, A.	.. .. Advocate, Bhagalpur.
†157	Mukherjee, B. P.	.. .. Advocate, Dhanbad.
*158	„ Chinmoy	.. .. On behalf of Indian Mines Workers' Federation, Dhanbad.
*159	„ D.	.. .. District and Sessions Judge, Dhanbad.
*160	„ M. B., I. A. S.	.. .. Commissioner, Tirhut Division, Muzaffarpur.
*161	„ M. K., I. A. S.	.. .. District Magistrate, Shahabad.
162	„ S. K., I. A. S.	.. .. Deputy Secretary to Government of India, Mines and Fuel, New Delhi.
†163	Mullick, A. C.	.. .. Advocate, Dhanbad.
164	Murphy, Rev. G. E.	.. .. Principal, St. Xavier's School, Patna.
N		
*165	Nath, T., I. P.	.. .. Deputy Inspector-General, Southern Range, Ranchi.
166	„ S.	.. .. Officer Incharge Reporting Section, Criminal Investigation Department, Bihar, Patna.
167	Narain, Badri	.. .. Head Clerk, Police Office, Darbhanga.
168	„ D. D.	.. .. Vice-Principal, Central Detective Training School, Calcutta.
*169	„ Shridhar	.. .. M. L. A. Flat no. 42, Garliner Road, Patna.
170	„ S.	.. .. Inspector of Police, Criminal Investigation Department (Special Branch), Bihar, Patna.
*171	„ V., I. A. S.	.. .. Director of Gram Panchayats, Bihar, Patna.
†172	Nijhawan, B. R.	.. .. Director, National Metallurgical Laboratory, Jamshedpur.
†173	Nilkathan, V.	.. .. Managing Director, Sindri Fertilizer, Dhanbad.
O		
*174	Officer Incharge	.. .. Photo Bureau, Criminal Investigation Department, Bihar, Patna.

Serial no.	Name.	Address.
*175	Ojha, Ramjanam	M. L. A., village Chaumukh, P. O. Gharbhara, Muzaffarpur.
176	Omar, A. N. M.	Retired Additional Commissioner, of Excise Bihar, Patna. P.
*177	Pandey, B. D., I. C. S.	Development Commissioner, Bihar, Patna.
178	„ J.	Deputy Superintendent of Police, Gumla, Ranchi.
179	„ R. D., I. A. S.	Deputy Commissioner, Santhal Parganas.
†180	„ R. S., I. A. S.	Agent, TISCO, Jamshedpur.
181	„ S. C.	Advocate, Chapra and H. N. Mahtha, Mokhtar, Chapra.
†182	„ S. N.	Advocate, Bhagalpur.
183	„ S. N.	Havildar, Deoghar, Santhal Parganas.
184	„ S. N.	Police Office, Jamshedpur.
*185	Pasari, S. K.	M. L. A., Chaibasa, Singhbhum.
*186	Pati, K., I.P.S.	City Superintendent of Police, Patna.
187	Pathak, M.	M.B., B.S.(Patna), F.C., C.P.(U.S.A.), P.O. Dehri, Shahabad.
188	„ Ramparaves	Mukhiya, Ahiyapur-Bikram Gram Panchayat, Patna.
189	Pradhan, Jai Bahadur	Subedar-Major, B.M.P. I, Ranchi.
190	Prakash, Ved	Deputy Accountant-General, Ranchi.
191	Prasad, Akhileshwar	Senior Advocate, Supreme Court, Monghyr.
192	„ Bihari	Mukhiya, Pachauri Gram Panchayat, Patna.
†193	„ B.	Chief Engineer, Public Works Department, Bihar and Y. K. Lal also.
194	„ Brahamdeo	Operator, Police Radio, Phulwarisharif, Patna.
†195	„ Brajbhusan	Court Inspector, Muzaffarpur.
196	„ Brajnandan	Mukhiya, Dona Gram Panchayat, Gaya.
*197	„ B. N.	Commandant, B.M.P. V, Patna.
*198	„ C.S., I.P.S.	Superintendent, Railway Police, Muzaffarpur.
199	„ D.	Circle Inspector, Lohardaga, Ranchi.
†200	„ D. N.	Director, Indian School of Mines, Dhanbad.
*201	„ G. N.	District and Sessions Judge, Shahabad.
*202	„ G. S.	Superintending Engineer, Public Works Department, Hazaribagh.
203	„ I., I.A.S.	Deputy Commissioner, Palamau.
204	„ J. M.	Superintendent of Police, Purnea.
205	„ Kohab	Handwriting Expert, Patna.
206	„ Lakshmi	Mukhiya, Bat'ha Hussena, Misia Gram Panchayat.
†207	„ Maheshwari	Principal, T. N. B. College, Bhagalpur.

Serial no.	Name.	Address.
208	Pra ad, N. K.	Inspector of Police, Aurangabad, Gaya.
*209	.. N. K.	Executive Engineer, Construction Division, Public Works Department, Patna.
210	.. R. K.	District Prosecutor, Sitamarhi, Muzaffarpur.
*211	.. R. R., I.P. (Retd.) ..	Ex-Deputy Inspector-General of Police, Fort, Monghyr.
*212	.. S. C.	Ex-Judge, Patna High Court.
†213	.. Sambhu	Government Pleader, Ranchi.
*214	.. Sati Raman	Assistant Public Prosecutor, Muzaffarpur.
*215	.. Shoonandan	Assistant Sub-Inspector, Saran.
*216	.. Surendra	Advocate, Darbhanga.
217	.. Surender	Mukhiya, Gram Panchayat, Andi Merian, Asthawan, Patna.
218	.. S. K.	District and Sessions Judge, Muzaffarpur.
*219	Puri, T. C., I.C.S.	Commissioner, Chotanagpur Division, Ranchi.
R		
220	Rahman, M.	Inspector, Bagmara, Dhanbad.
221	.. Motiur	Deputy Superintendent of Police, Madhipura, Saharsa.
222	.. S. K.	District Prosecutor, Saharsa.
223	Rai, Jagdeo	Mukhiya, Mahthawa Gram Panchayat, Purnea.
*224	.. Sidh Narain	Advocate, Supreme Court, and P.P., Shahabad.
225	Ram, Parmeshwar	Mukhiya, Bamangama Gram Panchayat, Santhal Parganas.
†226	Raman, C. K., I.C.S.	Member, Board of Revenue, Bihar.
*227	.. K. S. V., I.C.S.	Chairman, Bihar Public Service Commission.
228	Ranjan, P.	Deputy Superintendent of Police, Chapra, Saran.
*229	Rizvi, S. Q., I.P.S.	Principal, Police Training College, Hazaribagh.
†230	Rongta, Mangilal	Businessman, Jugsalai, Jamshedpur.
231	Roy, Bhola	Mukhiya, Gram Panchayat, Shahabad.
*232	.. B. K.	Mukhiya, Dumarkunda Gram Panchayat, Dhanbad.
*233	.. R. B.	Deputy Superintendent of Police, Bettiah.
234	.. Ram Shankar	Inspector of Police, Criminal Investigation Department (Crime Branch), Bihar, Patna.
†235	.. Ranen	M.L.C., Patna.
236	.. S. K.	Deputy Superintendent of Police incharge Bihar Police Dogs.
237	.. S. N., I.P.S.	Assistant Superintendent of Police (Crime Branch), Criminal Investigation Department, Bihar, Patna.
238	Rout, Mahabir, M.L.A.	Flat no. 87, Gardiner Road, Patna.
†239	Rural Police (10 Representatives).	Bhagalpur.
†240	.. (3 Representatives)	Muzaffarpur.

Serial no.	Name.	Address.
S.		
241	Sadique, M.A. .. ..	.. Sub-Inspector, Police Radio (R.O.), Patna.
242	Sadhukhan, Tincouri .. ..	.. President, Mokhtears' Association, Purnea.
*243	Sahay, Gopi Ballabh .. ..	.. Retired Civil Surgeon, Chapra and Lecturer in Forensic Medicine to Advance Training School, Bihar.
244	.. G. N. .. ..	.. Head Clerk, B.M.P. II, Dehri.
*245	.. J. D., I.P. (Retd.) .. ..	.. Ex-D.I.-G. of Police, Officer on Special Duty, National Coal Development Corporation, Ltd., Ranchi.
246	.. Pandey Narsingh .. ..	.. Public Prosecutor, Patna.
247	.. Rajbans .. ..	.. Pleader, Sasaram, Shahabad.
248	.. R. N. .. ..	.. Mokhtear, Patna.
249	.. S. B., I.P.S. .. ..	.. Superintendent of Police, Darbhanga.
250	.. Srinarayan .. ..	.. Bar.-at-Law, Patna.
*251	.. S. N. .. ..	.. Subdivisional Officer, Pakaur, Santhal Parganas.
252	Sahu, Anandi Prasad .. ..	.. Mukhiya, Madu Gram Panchayat, Hazaribagh.
*253	Salam, S. M. A. .. ..	.. Deputy Superintendent of Police, Gaya.
†254	Samiuddin, S. M. .. ..	.. M.L.A., village Chalna, P. O. Ahir, Bhagalpur.
*255	Saran, R. B. .. ..	.. Vice-President, Bihar Police Service Association.
†256	Sen, Sachin .. ..	.. Editor, the <i>Indian Nation</i> , Patna.
257	Sen Gupta, A. N. .. ..	.. Deputy Superintendent of Police, Anti-corruption, Bhagalpur and M. Hassan, D.S.P., A.C., Ranchi.
*258	.. S. K. .. ..	.. District Prosecutor, Siwan, Saran.
259	Sharma, Gorakh Roy .. ..	.. Pleader, Gopalganj.
260	.. Harinandan .. ..	.. Wireless Staff, Dhanbad.
261	.. Jaimangal .. ..	.. Subedar, B.M.P. VII, Katihar.
†262	.. Jaimangal .. ..	.. Advocate, Muzaffarpur.
†263	.. Karyanand .. ..	.. M.L.A., Monghyr (Flat no. 103, Gardiner Road, Patna).
†264	.. Pandit Kapildeo .. ..	.. President, Mandal Congress, Shahabad.
†265	.. Ramchandra .. ..	.. Lance Constable, Police Wireless, Gaya.
†266	.. R. N. .. ..	.. Indian Mining Managers' Association, Dhanbad.
*267	.. R. S. .. ..	.. Editor, <i>Pradeep</i> , Patna.
†268	.. Sheokumar .. ..	.. Vice-President, Koila Mazdoor Panchayat, Jharia, Dhanbad.
269	.. S. N. .. ..	.. Deputy Commissioner, Ranchi.
270	Shetty, S. Balkrishna, I.P. .. ..	.. Inspector-General of Police, Madras.
†271	Singh, Ambika .. ..	.. Havildar, District Armed Police, Saharsa.
272	.. Banka .. ..	.. C/718, District Armed Police, Purnea.
*273	.. Banwari .. ..	.. Inspector of Police, Traffic, Patna.

Serial no.	Name.	Address.
274	Singh, B.	Assistant Sub-Inspector, Police Radio, Patna.
275	„ Bishwanath	Advocate, Monghyr.
276	„ Brajnandan	Wireless Operator, B.M.P. VII, Katihar.
277	„ Bindeshwari	Havildar, B.M.P. VII, Katihar.
278	„ Baleshwar	Inspector of Police, Motihari.
279	„ Bachu Narayan	Inspector, Special Branch, Criminal Investigation Department, Bihar, Patna.
†280	„ B. P., I.A.S.	Secretary, Labour Department, Bihar.
281	„ Chandrika	Jamadar, B.M.P. VII, Katihar.
*282	„ Chandrika Prasad	Assistant Sub-Inspector, Nawadah, Gaya.
283	„ C. D.	Inspector of Police, Bhagalpur.
284	„ Deoki	Havildar, B.M.P. VI, Muzaffarpur.
285	„ Deo Prasad	C/30, Muzaffarpur.
286	„ Dwarka	Sub-Major, B.M.P. VI, Muzaffarpur.
*287	„ Ramanuj	Civil Surgeon, Muzaffarpur.
*288	„ Ganga Prasad	C/65, Special Branch, Criminal Investigation Department, Bihar, Patna.
289	„ Ganga Saran	Dakhingaon, P. O. Wazirganj, Gaya.
†290	„ Girija Sharan	Public Prosecutor, Palamau.
*291	„ Harsit Narain	C/798, Pupri P.-S., Muzaffarpur.
292	„ Harihar Nath	Lance Constable, Police Radio, Jahanabad, Gaya.
293	„ Hrishikesh Narayan	Police Radio, Nawadah, Gaya.
294	„ Hira Lal	Operator, B.M.P. II, Dehri.
295	„ H. P., I.P.S.	Assistant Superintendent of Police, Biharsharif, Patna.
296	„ Jamuna Prasad	Havildar, B.M.P. II, Dehri.
*297	„ J. N., I.P.S.	Assistant Superintendent of Police, Jahanabad, Gaya.
*298	„ Kamal	M. P., Maharaja of Dumraon.
†299	„ Kapildeo	M.L.A., Village Silout Bhiral, P. O. Silout, Muzaffarpur.
†300	„ K. Bag	Brigadier, Coal Mines Commissioner, Dhanbad.
†301	„ Khaderan	Advocate, Patna.
302	„ Krishna Deo	Deputy Superintendent of Police, Saharsa.
303	„ Kuldip	District Armed Police Constable, Dumka.
304	„ Lalit Narayan	Deputy Superintendent of Police, Nawadah, Gaya.
*305	„ Madanjit	Additional Superintendent of Police, Patna.
†306	„ M. P. N.	M.L.A., village and P. O. Sursand, Muzaffarpur.
307	„ Nepal	Quarter Master Jamadar, B.M.P. II, Dehri.
*308	„ N. N., I.P.S.	Superintendent of Police, Dhanbad.

Serial no.	Name.	Address.
309	Singh, Parmeshwar ..	.. Havildar, B.M.P. I, Ranchi.
310	„ Param Hans ..	.. Lance Constable, Operator, Phulwari, Patna.
†311	„ Prabhunath ..	.. M.L.A., village Sitabdiara Tola, P.O. Sitabdiara, Saran.
312	„ Ram Bahadur ..	.. C/323, B.M.P. VII, Katihar.
*313	„ Ram Badan ..	.. Havildar, B.M.P. VI, Muzaffarpur.
†314	„ Ram Binod ..	.. M.L.A., village Dighwara, Tola Barban, P. O. Dighwara, Saran.
*315	„ Ramchabila ..	.. Sub-Inspector, Officer incharge Muzaffarpur P.-S.
*316	„ R. D., I.P.S. ..	.. Superintendent of Police, Criminal Investigation Department, Bihar, Patna.
317	„ Rajdeo ..	.. Deputy Superintendent, Sadar, Muzaffarpur.
†318	„ Rajandhari ..	.. Mayor, Patna Municipal Corporation.
319	„ Ramadhar ..	.. Havildar, Police Radio, B.M.P. I, Ranchi.
†320	„ Ramanand ..	.. M.L.A., village and P.O. Chhatauni, Muzaffarpur.
*321	„ Ramlakhan ..	.. Lance Constable, Police Radio, Phulwari, Patna.
*322	„ R. N. ..	.. Senior District Prosecutor, Patna.
†323	„ Ramnath ..	.. Traffic Havildar, Patna and Kartik Singh, Traffic Constable, Patna.
324	„ Ram Ekwal ..	.. Advocate, President Bar Association, Dinapur, Patna.
325	„ Ram Japu ..	.. Senior District Prosecutor, Arrah.
*326	„ Ram Prasad ..	.. Inspector of Police, Khajekalan P.-S., Patna.
327	„ Ramesh Prasad ..	.. Deputy Superintendent of Police, Police Training College, Hazaribagh.
*328	„ R. P. ..	.. District and Sessions Judge, Patna.
329	„ Sardar Bahadur Sir Indra ..	.. Chairman, Board of Directors, Indian Steel and Wire Production, Ltd., Jamshedpur.
330	„ Satrugan ..	.. Havildar, B. M. P. VII, Katihar.
331	„ Saran, I.A.S. ..	.. Education Secretary, Bihar.
332	„ Sheopujan ..	.. S/W. Deputy Superintendent of Police Office, Nawadah, Gaya.
333	„ Sheopujan ..	.. Havildar, Police Lines, Gaya.
334	„ Sheopujan ..	.. Jamadar, B.M.P. VII, Katihar.
*335	„ Shiva Shankar ..	.. Havildar, Government Railway Police, Motihari.
336	„ Shyam Sunder ..	.. Sub-Inspector, Runisaidpur P.-S., Muzaffarpur.
337	„ Shyam Nandan ..	.. Assistant Sub-Inspector, North-Eastern Railway, Muzaffarpur.
338	„ Sipahi ..	.. Lance Constable, Check Post, Phulwari, Patna.
339	„ Sita Ram ..	.. Jamadar, B.M.P. II, Dehri.
340	„ Sita Ram ..	.. Officer incharge Kurtha P.-S., Gaya.

Serial no.	Name.	Address.
*341	Singh, S. P., I.P.S. .. ..	.. Commandant, Home Guards, Bihar.
†342	„ S. P. .. ..	.. Registrar, Patna High Court.
†343	„ S. P. .. ..	.. District and Sessions Judge, Patna.
344	„ S. N., I.P.S. .. ..	.. Assistant Director, Intelligence Bureau, New Delhi.
345	„ Sukhdeo .. ..	.. Subedar, Anchal Force, Shahabad.
†346	„ Surajdeo Narain .. ..	.. Public Prosecutor, Muzaffarpur.
347	„ Surendra Prasad .. ..	.. Assistant District Prosecutor, Biharsharif, Patna.
*348	„ Tirjug .. ..	.. Deputy Superintendent of Police, Gaya.
†349	„ T. P., I.C.S. .. ..	.. Development Commissioner, Bihar, Patna.
350	„ Vijai Kumar .. ..	.. Writer Constable, Criminal Investigation Department, Bihar, Patna.
351	Singhdeo, A.P. .. ..	.. M.L.A., Maharaja of Seraikella.
352	Singhvi, G. C. .. ..	.. District Superintendent of Police, Bharatpur.
353	Sinha, Awadhesh Kumar .. ..	.. Assistant Sub-Inspector, Police Radio, Phulwari, Patna.
†354	„ A. K., I.P. (Retd.) ....	.. Ex-Inspector-General of Police, Bihar, Alakh Square, Dinapur Cantt.
*355	„ B. M. K. .. ..	.. Member, Public Service Commission, Bihar, Patna.
356	„ B. N., I.P.S. .. ..	.. Superintendent of Police, Champaran.
357	„ Bisheshwar Prasad .. ..	.. M.A., B.L., Patna.
†358	„ B. P. .. ..	.. On behalf of Colliery Mazdoor Sangh, Dhanbad.
359	„ Chintaman .. ..	.. Police Radio, Patna.
*360	„ Dr. S. K. .. ..	.. Medical Officer, Police Hospital, Bhagalpur.
361	„ Jamuna Prasad .. ..	.. District Convener, Bharat Sevak Samaj, Gaya.
*362	„ J. P. (five representatives)	.. President, Bihar Police Association with four representatives.
363	„ Kailash .. ..	.. M. L. C., Patna.
*364	„ K. C., I.P.S. .. ..	.. Superintendent of Police, Jamshedpur.
*365	„ K. P. .. ..	.. Inspector of Police, Gardanibagh P.-S., Patna.
†366	„ N. K. .. ..	.. M.L.A., Muzaffarpur.
367	„ P. K. .. ..	.. Deputy Superintendent of Police, Baghmara, Dhanbad.
*368	„ R. A. P., I.P. .. ..	.. Deputy Inspector-General, Military Police and Training, Bihar, Patna.
369	„ R. N., I.P.S. .. ..	.. Superintendent of Police, Ranchi.
370	„ Ritlal Prasad .. ..	.. M.L.C., Patna.
*371	„ Rewati Raman Prasad .. ..	.. Handwriting Expert, Criminal Investigation Department Bihar, Patna.
372	„ R. T., I.A.S. .. ..	.. Secretary, Heavy Engineering Corporation, Ranchi.
373	„ S. N. .. ..	.. Deputy Superintendent of Police, Barh, Patna.

Serial no.	Name.	Address.
374	Sinha, S. P., I.A.S. (Retd.) ..	.. Administrative Officer, Indian Statistical Institute, Calcutta.
375	„ Thakur Shyam Sunder ..	.. Police Radio Station, Purnea.
†376	Srivastava, B.B., I.A.S. ..	.. Secretary, Housing Department, Bihar.
377	„ Gorakh Prasad ..	.. Writer Naik, B.M.P., II, Dehri.
*378	„ J. P. ..	.. Reserve Sub-Inspector, Police Radio, Katihar.
*379	„ J. P. ..	.. On behalf of Bihar Police Ministerial Officers' Association, (with two representatives).
380	„ L. S. ..	.. Inspector, C.I.D., Bihar, Patna.
381	„ P. D. ..	.. Station Officer, Police Radio, Khagaria, Monghyr.
*382	„ S. N. ..	.. Superintendent of Police, Shahabad.
383	„ S. P. ..	.. Anti-Malaria Officer, Bettiah.
*384	Suchanti, Indrachandra ..	.. Public Prosecutor, Biharsharif, Patna.
385	Sukla, Harinandan ..	.. Mukhiya, Atia Gram Panchayat, Hazaribagh.
*386	Sulaiman, S. M., I.A.S. ..	.. District Magistrate, Muzaffarpur.
T.		
†387	Tandon, R. R. ..	.. Advocate, Muzaffarpur.
*388	Tauheed, M.A., I.P.S. (Retd.) ..	.. Advocate, Bhagalpur.
389	Thakur, Dristi Narayan ..	.. Writer Constable, 489, Police Lines, Dumka.
*390	Thakur, G. K. ..	.. Assistant Public Prosecutor, Sitamarhi, Muzaffarpur.
†391	Thompson, J. ..	.. General Manager, Indian Tube Company, Jamshedpur.
†392	Tiwary, C. N. ..	.. Judicial Magistrate, Patna.
†393	„ Girish ..	.. M.L.A., village Tajpur, P. O. Tajpur, Phulwarisharia, Saran.
394	„ I. B. ..	.. Sub-Inspector, Government Railway Police, Darbhanga.
395	„ K. M. ..	.. Assistant Commandant, B.M.P. V, Patna.
396	„ R. N. ..	.. U/864, Sadar Court, Gaya.
*397	„ Ram Ratan ..	.. Mukhiya, Sambandhpur-Beldanga Gram Panchayat, Dhanbad.
*398	Tripathi, S. ..	.. Mukhiya, Gopalganj Gram Panchayat, Saran and Y. Prasad, Mukhiya, Motihari Gram Panchayat.
399	Trivodi, Gopinath ..	.. Mokhtear, Ex-Assistant Public Prosecutor, Champaran.
†400	Tyagi, L.S. ..	.. M.L.A., Patna.
U.		
401	Upadhya, R. A. ..	.. Assistant Sub-Inspector, Deputy Inspector Office, Aurangabad, Gaya.
402	„ Ram Prasad ..	.. Mukhiya, Gram Panchayat, Surajpur, Arrah.
*403	„ U. N. ..	.. Sarpanch, Brahmandiha Gram Panchayat, Dhanbad.

Serial no.	Name.	Address.
V.		
404	Vaidyanathan, C.R., I.A.S. ..	.. District Magistrate, Champaran.
*405	Varma, Budhan Rai ..	.. M. L. C., Shahabad.
*406	„ H. K. ..	.. Deputy Superintendent of Police, Criminal Investigation Department, Bihar, Patna.
407	„ P. P. ..	.. Assistant District Prosecutor, Patna.
408	„ R. K. ..	.. Police Radio, Bihar, Patna.
†409	Verma, R.P. ..	.. Principal, Engineering College, Jamshedpur.
*410	„ S. B. Lal ..	.. M. L. C., Sitamarhi, Muzaffarpur.
*411	„ S. P., I.P. ..	.. Inspector-General of Police, Bihar.
412	„ Umanath ..	.. Inspector of Police, Northern Range, Muzaffarpur.
W.		
†413	Watson, C. H. ..	.. General Manager, Tinsplate, Jamshe dpur.
X.		
Nil.		
Y.		
*414	Yadav, M. N. ..	.. Mukhiya, Gram Panchayat Patharhat, P. O. Nadwa, Patna.
415	Yanjan, H. B. ..	.. Sepoy, B. M. P. 1, Ranchi.
Z.		
*416	Zaman, M. A. (three representatives) ..	.. Assistant, Inspector-General of Police Office, Bihar (with two others.)
*417	Zubair, M. ..	.. Sergeant-Major, Gaya.

†This mark indicates that these persons have given their oral evidence only before the Commission. They did not send their written reply.

*This mark indicates that these persons have sent their written reply as well as they gave their oral evidence before the Commission.

Rest are those who sent their written reply only. They did not appear before the Commission for oral evidence.

APPENDIX XVIII

SUMMARY OF RECOMMENDATIONS OF THE COMMISSION.

CHAPTER III

ORGANISATION OF THE REGULAR POLICE FORCE

1. The unity of command resting with the Inspector-General should never be disturbed. It is not necessary to appoint an Additional Inspector-General and he should be assisted by officers of the rank of Deputy Inspector-General.

2. The Inspector-General should continue to be assisted in his office by three Assistants of the rank of Superintendent of Police.

3. The post of Deputy Inspector-General should be retained. He will assist the Inspector-General in the inspection of the police charges and the management of the internal economy of the force and instruct, advise and guide the Superintendents of Police.

4. Seven Deputy Inspectors-General are required, one each for (i) the Criminal Investigation Department and Railway Police, (ii) the State Intelligence Department, (iii) the Special Armed Police, State Fire Service, Police Transport and Police Radio, (iv) Police Training Institutions, (v) Northern Range with headquarters at Muzaffarpur, (vi) Central Range with Headquarters at Patna and (vii) Southern Range with Headquarters at Ranchi.

5. The present jurisdictions of the four police ranges should be re-delineated. The Northern Range should consist of the districts of Champaran, Saran, Muzaffarpur, Darbhanga, Begusarai, Saharsa and Purnea. The Central Range should consist of Patna, Gaya, Shahabad, South Monghyr, Bhagalpur and the Santhal Parganas. The jurisdiction of the Southern Range should continue to be the same.

6. Police work between two Superintendents within a district should be divided on territorial rather than functional basis. The districts of Patna, Gaya, Shahabad, Saran, Darbhanga, Hazaribagh, Monghyr and the Santhal Parganas should be split up. This will result in eight more police districts including the city police districts of Patna and Jamshedpur.

7. Lack of accommodation need not delay the creation of additional police districts as two police districts could for the present function from the same headquarters.

8. Each police district should be in charge of a Superintendent of Police. The posts of Additional Superintendent of Police should be abolished.

9. The cadre of Assistant Superintendents of Police should not be enlarged and that of Deputy Superintendents should be retained but substantially reduced. The post of Subdivisional Police Officer should be abolished.

10. Every district should have an Assistant or Deputy Superintendent to act as the "Second Officer".

11. An Assistant or Deputy Superintendent should also be posted to other branches of the police for assisting the Superintendent of Police as his 'Second Officer'.

12. The extent of present police circles should be reduced and no circle should consist of more than four police-stations. Large town and its environs should form one police circle.

13. A cadre of little over 300 Chief Inspectors should be created for holding charge of police circles and for taking charge of the various sections in a district police office and other branches.

14. 25 per cent of the posts in the cadre of the Chief Inspectors should be reserved for direct recruits but this ratio can be varied in favour of departmental officers if they come up to the required standard.

15. The jurisdiction of a rural policestation should be co-terminus with that of Anchal. Rural out-posts or Beat Houses should be located in rural police-stations, having extensive jurisdictions or difficult communication. Urban police-stations should not include extensive rural areas. Police-stations in populous industrial pockets should be delineated on the lines of urban police-stations.

16. The investigating staff and the law and order staff should not be separated as the integrity and authority of the officer-incharge as defined in the Code of Criminal Procedure has to be preserved.

17. There should be one investigating officer for every 60 to 70 cognisable cases a year.

18. In rural police-stations, a Second Officer should be posted, irrespective of the number of cases registered, if the work connected with law and order in a police-station is heavy. In urban police-stations including police-stations at the headquarters of the revenue subdivisions, there should be one investigating officer for every 60—70 cases a year in addition to the officer-incharge.

19. A cadre of Assistant Inspectors should be created for providing the investigating staff. 80 per cent of this cadre should be reserved for direct recruits and 20 per cent for Head-Constables of exceptional merit and ability.

20. The officer-incharge of a police-station should be designated as Inspector of Police and draw higher pay. Inspector on the senior scale should be incharge of urban police-stations and such of the rural police-stations where the total number of cognisable crime in a year exceeds 120. Inspectors on junior scale should take charge of all other rural police-stations.

21. A cadre of Inspectors on senior and junior scales should be created. 50 per cent of the posts of Inspector on junior scale should be reserved for direct recruits. All the posts in the senior scale should be filled by promotion of Inspectors on the junior scale.

22. The existing cadre of Sub-Inspectors, Assistant Sub-Inspectors and Writer Constables should be abolished.

23. The cadre of Head-Constables should be revived. All the vacancies in this cadre should be filled by promotion of educated constables who have passed the necessary tests.

24. Two Head-Constables should be posted to an average police-station for performing Sherista entries work and assisting the officer-incharge in the management of the constabulary.

25. The strength of constables of a rural police-station should not exceed 10.

26. The constabulary should be separated into armed and unarmed branch and their recruitment and training also separated. The unarmed constables should have a higher mental make-up whereas the armed constables should be physically more tough and well up in drill and weapon training. They are to be called police officers and can aspire to all higher posts. The organisation of the District Armed Police should be linked up with that of the Bihar Military Police.

27. Every urban police-station within a municipality or a Notified Area Committee should have a town out post.

28. There should be one constable for every 500 of population and one Head-Constable for every 10 constables. The senior Head-Constable should be incharge of a town outpost where there are two Head-Constables.

29. Every town outpost should organise patrols, both by night and by day, and the constables should not be saddled with any miscellaneous work. The three shifts of patrolling should be from 22.00 hours to 06.00 hours, 06.00 hours to 14.00 hours and 14.00 hours to 22.00 hours. A break of 30—45 minutes should be allowed to the constables on beat patrol for refreshment during morning and afternoon shifts. Every constable should have one-day rest in a week.

30. For the purpose of patrolling, town outposts should be classified into three grades. In the first grade, patrols both by night and by day should be necessary. The second grade will consist of town outposts where patrol is not required by night and only partially during the day. The third grade would be of town outposts where patrolling is required only after nightfall.

31. The patrolling beat should be so delineated that a constable can cover it at least twice in two hours.

32. A constable on the beat should be provided with an electric torch, a truncheon, a regulation lathi and a whistle.

33. The Head-Constables posted to town outposts should be provided with Government bicycle or given conveyance allowance.

34. In cities with population of over 75,000, the Radio Patrol Car system should be introduced. These patrol cars should be equipped with wireless and based on Information Rooms.

35. One Inspector in the junior scale, three Assistant Inspectors and three Head-Constables should be posted to Information Room. Three Assistant Inspectors should be sanctioned for each radio patrol car.

36. A phased programme for absorption of some existing ranks will be necessary. Till such time as the cadre of Deputy Superintendents is not reduced by the retirement or promotion of the existing personnel, they should continue to fill the more important duty posts in the Criminal Investigation Department, the State Intelligence Department and selected police circles.

37. All Inspectors who are already in the select list for promotion to the rank of Deputy Superintendent should be promoted as Chief Inspectors. Certain selected Inspectors who have been directly recruited and those who are holding substantive

posts in the rank of Inspector should also be considered for promotion as Chief Inspector provided their seniority and records justify such an advancement.

38. If the required number of Chief Inspectors is not found, the districts that report high incidence of crime should be first selected for the reorganisation scheme.

39. Inspectors who are not promoted to the rank of Chief Inspector should be absorbed in the cadre of Inspectors on the senior scale and promoted to the rank of Chief Inspector as and when found suitable.

40. All the serving Sub-Inspectors should be considered for promotion normally to the rank of Inspector on the junior scale and in exceptional cases, directly to the rank of Inspector in the senior scale.

41. Those who are not considered suitable for promotion as Inspector should be allowed to opt for the posts of Assistant Inspectors or to continue as Sub-Inspectors in districts where the new scheme is not to be introduced for the present.

42. All the Assistant Sub-Inspectors with creditable record of service should be considered for promotion to the rank of Assistant Inspector.

43. Assistant Sub-Inspectors not promoted to the rank of Assistant Inspector should be posted to districts where the new scheme is not introduced and allowed to improve their records for ultimate absorption as Assistant Inspector or to waste out in due course.

44. Senior and suitable Writer Constables should be considered for absorption in the rank of Assistant Inspectors but by and large they should fill the vacancies in the cadre of Head-Constables.

45. To meet the increase in the strength of unarmed constables, all constables above the age of 40 should be transferred from the District Armed Police and the Anchal Force. For any further deficiency a phased programme of recruitment should be drawn up so that the prescribed strength may be reached within five years. Those below 40 who are retained in the District Armed Police will have the option to be transferred to the unarmed branch as soon as they reach the age of 40.

46. The vacancies in the District Armed Police and the Anchal Force should be filled by volunteers from the Bihar Military Police battalions.

47. A phased programme of recruitment for the reorganised Armed Police including the District Armed Police, the Anchal Force and the Bihar Military Police battalions will have to be prepared.

CHAPTER IV

ARMED POLICE

1. The use of the military police should be restricted primarily to dealing with public disorders during the great emergencies. The Superintendent of Police should be permitted to draw on the Home Guards organisation for augmenting their force for any large-scale deputation during major festivals or prolonged industrial strike.

2. Bihar Military Police should be called the Special Armed Police. Four battalions should be reorganised on the pattern outlined by a Committee of Inspectors-General in

1950 and the temporary battalion at Muzaffarpur should be made permanent. The composition and strength of Gurkha battalion should remain as it is.

3. The Bihar Mounted Military Police should be designated as Bihar Mounted Armed Police and its strength should be reduced to a squadron consisting of five troops, one troop each to be located at Patna, Ranchi, Muzaffarpur, Bhagalpur and a headquarters troop either at Arrah or Patna. The headquarters of the Mounted Armed Police should be shifted to Patna under the Commandant of the Special Armed Police, battalion, Patna.

4. Sepoys and non-commissioned officers should retire at the age of 45 but if fit in all respects can be retained up to the age of 50. The junior commissioned officers should retire at the age of 50 but can serve up to the age of 55 if fit in all respects.

5. The striking force of the 25 police districts should consist of 100 including officers. The three railway districts and the two cities of Patna and Jamshedpur should have 50 each. There may be a good case for increasing the strength of Guards and Escorts. Home Guards and the Anchal force may be utilised for reinforcement of routine deputations.

6. The strength of the middle ranks should be calculated on the scales recommended for the Special Armed Police except that there should be only one Subedar for each district and he should be designated as Subedar-Major and be given the latter's allowances.

7. The constables for the District Armed Police should be recruited in the Special Armed Police and after service for 10 to 12 years, they should be transferred to the District Armed Police.

8. The training of all armed constables should be undertaken at a common training centre which could be located at the headquarters of the battalion either at Dehri or at Patna.

9. The qualifications, physical and educational, should be the same for all armed constables. The minimum height should be 5'8", but exception should be made in case of Adibasi and Gorkhas.

10. Recruitment should be regulated by the Bengal Military Police Act and the Indian Police Act.

11. The age of superannuation of the constables of the District Armed Police and the non-commissioned officers should be 50 but they can serve up to the age of 55 if fit in all respects.

Suitable sepoy of the District Armed Police can be transferred to the unarmed branch for orderly duties and then they will superannuate at the age of 55.

CHAPTER V

CRIMINAL INVESTIGATION DEPARTMENT

1. The scope of Police Manual rule 410 should be slightly enlarged to include crimes relating to traffic in women and children, juvenile delinquency, serious cases of criminal misappropriation and criminal breach of trust in which public servants and local bodies are involved, and smuggling of certain excisable articles. Prosecution arising out of institution of false civil suit should be excluded from the functions of the Criminal Investigation Department.

2. The Criminal Investigation Department should be split up into Criminal Investigation Department and the State Intelligence Department, each under a Deputy Inspector-General of Police. The Deputy Inspector-General, Criminal Investigation Department, should take over the Government Railway Police and be designated as Deputy Inspector-General, Crime and Railways. The Deputy Inspector-General, State Intelligence Department, should be made specially responsible for dealing with the problem of corruption in the police in a planned and effective manner.

3. Two Superintendents of Police and two Assistant or Deputy Superintendents of Police should assist the Deputy Inspector-General, Crime and Railways.

4. The criminal intelligence bureau in the C. I. D. should be placed under an experienced Chief Inspector. It should be the Criminal Record Office for the whole State and should ensure uniformity and co-ordination in the keeping of Criminal records of the District Crime Bureaux. The Section entrusted with the compilation of the Criminal Intelligence Gazette should form part of the Bureau and the Criminal Intelligence Gazette must circulate in due time. The Arms and Note-Forgery Sections should also form part of the Criminal Intelligence Bureau.

5. The Investigating Officers should continue to be divided into squads and each squad should be placed under a Chief Inspector. The squads should confine themselves to the investigation of complicated cases and enquiries into serious outbreaks of professional crimes. Crimes without wide ramifications should be the concern of the investigating officers attached to the District Crime Bureaux. The field staff posted to the headquarters of the ranges should be withdrawn to reinforce the investigating squads.

6. The investigating officers of the Criminal Investigation Department, when deputed to investigate cases, controlled by it, should write case diaries and work in complete subordination to the District Superintendent of Police.

7. The present set-up of the Anti-Dacoity Wing should continue and a permanent shape should be given to it after the problem of dacoity has been tackled effectively.

8. Separate squads should be organized for railway crime, for dealing with the smuggling of excisable articles, and for tackling the growing menace of anti-social elements.

9. The officers for the Criminal Investigation Department should be carefully selected from the uniform police. Before an officer is selected, his aptitude for the specialised type of work should be clearly judged both in the training institution and in the districts. An officer once selected should continue in the Criminal Investigation Department subject to his continuing to discharge his duties satisfactorily. His worth should be periodically assessed.

10. An effective system of detective training on up-to-date and practical lines should be designed for officers selected for the Criminal Investigation Department. The course of training should cover 12 weeks.

11. The spirit of co-operation and the practice of mutual assistance must prevail between the officers of the district police and the Criminal Investigation Department. The existing rules of the Police Manual are adequate to secure necessary co-operation and harmony.

12. There should be a section of ministerial officers for every investigating squad. The Chief Inspector incharge of the squad should also supervise the work of the

section. There should be a separate section under the Chief Inspector for accounts and establishment, and another section for the Government Railway Police.

13. The Research and Statistical Bureau should be made permanent. It should also analyse administrative personnel problems.

14. Like the officers-incharge of the Finger-Print Bureau and the Hand-writing Section, the officer-incharge of the State Photo Bureau should also be designated as Director.

15. The strength of the technical sections should be suitably augmented. The conditions of service of the experts should be made attractive, and their recruitment and training carefully planned.

16. A staff of Searchers and Testers should be sanctioned for Finger-Print Bureau.

17. Two fully equipped mobile laboratories should be provided for the use of the experts so that they can visit the scenes of crime promptly.

18. A small scientific unit should be set up at the headquarters of every district and attached to the District Crime Bureau. It should be manned by one senior expert to be drawn from the Criminal Investigation Department and a Head-Constable trained in photography and optical examination. Each Scientific Unit should have a mobile laboratory.

19. The Photo Units sanctioned for Patna, Bhagalpur, Ranchi, Jamshedpur, Dhanbad and Muzaffarpur should be abolished.

20. A small staff should be sanctioned in the Criminal Investigation Department for maintaining a museum and organising crime prevention exhibitions.

21. The District Crime Bureau should be made permanent. Its staff should form part of the District Executive Force. A Chief Inspector should be placed in charge of the bureau and in accordance with the work-load, Inspector or Assistant Inspector should be provided. The present Vernacular office should be merged into this bureau.

22. The record-keeping system should follow the pattern of the criminal intelligence bureau of the Criminal Investigation Department. Daily and Weekly Crime Occurrence Sheets as is the practice in Madras should be published by the District Crime Bureau. A statistical unit should also be created.

23. The Madras system of recording the finger-print slips of convicts should be adopted. All Head-Constables posted to police-stations and District Crime Bureau should be given a course of training in the recording of finger-prints.

CHAPTER VI

TRAFFIC POLICE

1. An officer from the judiciary should also be made an *ex-officio* member of the tribunal constituted to hear appeals from the Regional Transport Authority.

2. The police should continue to be responsible for licensing and registration under the enforcement of the Motor Vehicles Act.

3. The Motor Vehicles and Traffic Branch of the districts should be properly constituted and reinforced. A Chief Inspector should be in charge of this branch in districts where the number of registered vehicles exceeds 1,000.

4. The Motor Vehicles Inspectors should be fully qualified for their work and placed under the Superintendents of Police.

5. Specially trained investigators should be attached to the District Crime Bureau for investigating cases of traffic accidents.

6. For petty infringements of the provisions of the traffic law and rules, a system of issuing warning notices in the first instance should be adopted. This will prevent unnecessary harassment for minor violations.

7. To ensure quick judicious disposal of cases under the Motor Vehicles Act, mobile courts should be set up in all areas where motor traffic is heavy. These courts should be accompanied by mobile police squads.

8. Superior officers should test evidence in a fair percentage of cases.

9. The traffic police need not form a separate cadre and should continue to be a part of the District Executive Force but they should be specially selected and trained. [The normal period of posting to the traffic branch should not be less than five years and may extend to 7 years.]

10. No one should be on traffic duty for longer than 6 hours and work in two shifts.

11. Some districts should have "flying squads" equipped with high powered motor cars and motor cycles, stop watches, wireless telegraphy, portable weigh bridges and other mechanical devices.

12. The "flying squads" of the Transport Department should function under the Superintendent of Police. The State Transport Commissioner should exercise general control and he should be designated as *ex-officio* Deputy Inspector-General, Traffic.

13. No yardstick can be fixed for determining the strength of the traffic police but the present strength of traffic constables should be doubled. For every 10 constables, there should be one Head-Constable, one Assistant Inspector for three Head-Constables, and an Inspector for three Assistant Inspectors.

14. Increasing use of mechanical devices for regulation of traffic is recommended.

15. Constables selected for traffic police must be 5'8" and possess personality and mental alertness. A Traffic Training School on the pattern of a similar school in Calcutta should be set up for their training.

16. Any curtailment of the number of rickshaws is not recommended. Further licensing should be done cautiously keeping the road conditions well in view. Motor cycle rickshaws should not be allowed to ply on narrow streets.

17. An engineering branch should be created in the office of the State Transport Commissioner. It should be placed under a qualified Engineer who should work under the technical and disciplinary control of the Chief Engineer of the Public Works Department but the operational control of the State Transport Commissioner. This officer should also undertake research in matters connected with road construction.

18. Steps must be taken to educate the people how to use public roads through Safety First Association, courses of lectures, in educational institutions, and through films.

CHAPTER VII

GOVERNMENT RAILWAY POLICE

1. A third railway police district for the South Eastern Railway under its own Superintendent of Police should be created with Ranchi as its headquarters.

2. An Assistant or Deputy Superintendent of Police should assist the Superintendent of Railway Police.

3. The Crime Bureau set up in 1955 should continue to assist in collecting and distributing information about railway crimes. To this bureau should be attached some investigating officers having specialised knowledge and experience of railway crimes.

4. A striking force of 50 armed constables and necessary complement of officers should be sanctioned for every Railway Police district.

5. Prosecution of Railway Police cases should continue to be conducted by the prosecuting staff of the district police courts but an Inspector may be posted to the Railway Police office for the purpose of liaison.

6. The present jurisdictions of Railway Police circles and police-stations do not require any change. The yardsticks for the police circles and police-stations should be the same as recommended for the district police.

7. 'Order Police' should be so augmented as to ensure duty round the clock at the headquarters of every railway police-station. 'Flying squads' should be organised. Traffic police should be provided for regulation of vehicular traffic in the yard of bigger railway stations.

8. The Government Railway Police need not constitute a closed cadre. They should be specially selected and given special pay. The rules regarding their travelling allowances should be suitably revised.

9. A committee consisting of the Deputy Inspector-General of Police, Crime and Railways, and senior Railway Officers should be constituted to draw up a plan for the construction of quarters and barracks.

10. It is necessary to ensure co-operation between the railway and district police. The Minute Book should be properly maintained. The Superintendent of Railway Police should be notified as Additional Superintendent of Police of all the districts, within his jurisdiction and similarly, the District Superintendents of Police should be notified as Additional Superintendents of Railway Police. They should inspect district and railway police-stations but this should not lead to any friction.

11. To prevent crime, all junctions and important railway stations should be watched round the clock by officers and constables of the Government Railway Police. Important railway stations affected with crime should be watched by officers of the Criminal Investigation Department. District Police should also depute constables in plain clothes to selected stations for watch. 'Flying squads' should cover affected trains. The rules for watching bad characters, for exchange of constables

between the railway and the district police, and for exchange of lists of criminals should be enforced. The district police should be made fully aware of their responsibility with regard to the incidence of railway crime reported from their areas.

12. Government Railway Police and the railway administrations should frame a co-ordinated programme for counteracting the menace of ticketless travelling and alarm chain pulling.

13. Safety of the railway tracks should be ensured by the Railway Protection Force and occasional deputations may be made from the district and railway police. Assistance of the Gram Panchayats should also be invoked, under clause (b) of section 42 of the Code of Criminal Procedure.

14. All officers posted to the railway police should undergo a course of training and investigation of organised railway crime should receive specialised treatment.

15. The investigation of all cases of dacoity and burglary occurring in railway colonies and quarters should be the responsibility of the district police.

16. Police need not register and investigate cases of 'shortage' and 'missing goods' unless they have reasons to suspect the commission of a cognisable offence.

17. The Superintendent of the Railway Police should inspect District and Sub-divisional Court Offices to ensure efficient prosecution of railway cases.

CHAPTER VIII

POLICE ORGANISATION IN CITIES

1. Without materially disturbing the present scheme, a City Police System, following the Calcutta pattern in a modified form, should be introduced in Patna. The Chief Police Officer should be of a Senior Superintendent and designated as the Commissioner of Police.

2. The Commissioner of Police should exercise certain regulatory, restrictive and licensing powers as enjoyed by the Commissioner of Police, Calcutta.

3. He should be vested with all the disciplinary powers of Range Deputy Inspector-General and should be directly under the Inspector-General of Police.

4. His jurisdiction will include the entire Corporation area of Patna and its environs that fall within a depth of about two miles.

5. The City Police Force should not form a separate cadre but frequent transfer of officers should be avoided.

6. The organization at the headquarters should be divided into three divisions (i) Headquarters Division, (ii) Crime Division, and (iii) Traffic and Patrol Division. Each Division should be under an Assistant Commissioner of the rank of Assistant or Deputy Superintendent of Police. He will exercise the same disciplinary powers as a Superintendent of Police.

7. To co-ordinate investigation of certain forms of crimes and maintenance of all criminal records, two central police-stations should be set up and notified under sub-section(s) of section 4 of the Code of Criminal Procedure—one for the western part